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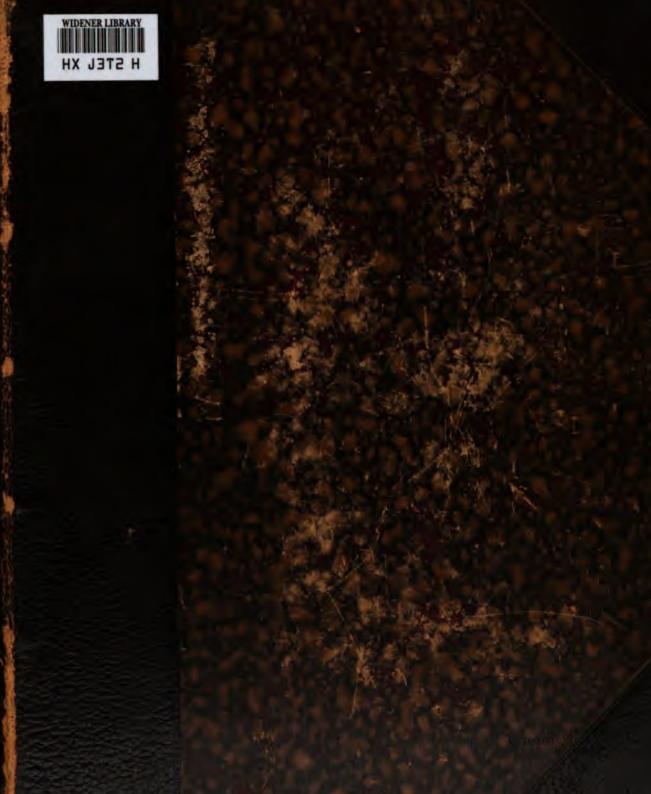
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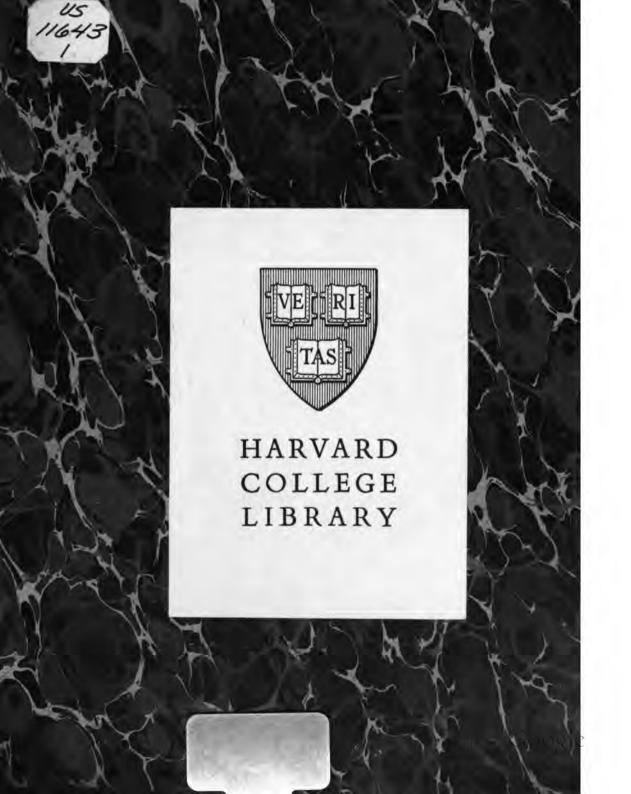
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Publications of the Prince Society.

Established May 25th, 1858.

CAPT. JOHN MASON.



Boston:

PRINTED FOR THE SOCIETY,
BY JOHN WILSON AND SON.
1887.

TWO HUNDRED AND FIFTY COPIES.

CAPT. JOHN MASON,

THE FOUNDER OF NEW HAMPSHIRE.

INCLUDING HIS TRACT ON NEWFOUNDLAND, 1620; THE AMERICAN CHARTERS IN WHICH HE WAS A GRANTEE; WITH LETTERS AND OTHER HISTORICAL DOCUMENTS.

TOGETHER WITH A

MEMOIR

BY CHARLES WESLEY TUTTLE, Ph.D.

EDITED WITH

HISTORICAL ILLUSTRATIONS

By JOHN WARD DEAN, A.M.

Boston:

PUBLISHED BY THE PRINCE SOCIETY. 1887.

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Editor:
JOHN WARD DEAN, A.M.



PREFACE.



HE late Charles Wesley Tuttle, Ph.D., was invited in 1873, by the Prince Society, of which he was an officer, to prepare, as one of the publications of the Society, a monograph on

Captain John Mason, the founder of New Hampshire, in which should be embodied a memoir of Mason; a reprint of his tract on Newsoundland, first published in 1620; the several American charters in which he was a grantee; his Will, and such other papers as might illustrate his life and character, and especially his efforts in the colonization of New England. This invitation Mr. Tuttle readily accepted. He had already been engaged in collecting materials for such a work, and had written out a memoir of Mason.

Mr. Tuttle was admirably fitted for the preparation of the proposed work. He had an intimate knowledge of the history history of New England, particularly of New Hampshire, the home of his ancestors, and he entertained a deep reverence for the remarkable men whom that foil had nurtured. He had also a clear understanding and a breadth of mind which enabled him to comprehend all the bearings of the fubject. He was also a careful investigator. He was always ready to follow truth, even if it required him to give up preconceived opinions. His refearches were unremitting and thorough. His temperament prevented him from leaving a fubject before he had exhausted it as far as possible, before he had gathered all the facts concerning it within his reach, in fact, before he had feen it on all its fides. As a writer he was critical in the use of language, in pruning and polishing whatever he undertook, and confequently he expressed his ideas with fulness and perspicuity, with beauty and grace. Those who knew him were confident, therefore, that the work which was to proceed from his pen would prefent a truthful and accurate picture of the men and times of early New England, and would be a valuable contribution to our historical literature.

After entering upon this work, Mr. Tuttle devoted at once all the time that he could spare from his prosession to the collection of materials. The result was that at his death, which occurred at Boston, July 17, 1881, a large mass of historical material relating to Mason and his schemes of colonization had been accumulated. He had delayed writ-

ing

ing out his monograph for the press in the hope that the English Commission on Historical Manuscripts, which had already discovered many important papers in private hands, would find valuable documents illustrating the life and services of Captain Mason; and possibly that the private manuscripts of Mason himself might be discovered. These, if found, he was consident would throw much light on Mason's career.

After Mr. Tuttle's death his manuscripts were placed by the Prince Society in my hands, with the request that I would prepare them for the press. This I have done to the best of my ability. I have spared no labor in my endeavor to make the work creditable to the Society, to the memory of Mr. Tuttle, and useful to the historical student. All that was ready for the press when I received the papers were the memoir and the foot-notes to which the letter T is appended. The writing out of the narrative portions of the work, and the collation and annotation of the documents have been done by me. I have also made use of other materials obtained by myself or furnished me by friends. The reader will readily fee that Mr. Tuttle should not be held responfible for any of the opinions expressed in this volume, except fuch as are found in those parts which I have named as proceeding from his pen.

The editor acknowledges his indebtedness to the Rev. Edmund F. Slaster, President of the Prince Society, for valuable

valuable affistance in his editorial work. To other friends he is also indebted in various ways. The excellent Index has been gratuitously furnished by Mr. Edward Denham, of New Bedford, a member of the Society.

J. W. D.

Boston, 18 Somerset Street, May 20, 1887.





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THE HOUSE OF CAPT. JOHN MASON,

At Portsmouth, England.

It is likewise noted as the place where the Duke of Buckingham was assassinated, Aug. 23, 1628. See pages 21 and 255.



MEMOIR

OF

CAPTAIN JOHN MASON.



HE discovery of America by Columbus at the close of the fifteenth century must be regarded as the greatest event in the annals of Maritime enterprise, if not the greatest of human achievements. Whether measured by the magnitude

of the discovery, as the work of a single man, or by the results which have flowed from it, no discovery before, or since, has surpassed it.

The glory of Columbus is unfurpaffed by that of Newton. Their great achievements, separated by a period of two centuries, stand unmatched before the world. One unlocked the greatest secret of the terrestrial globe, while the other performed an equally extraordinary work in the celestial sphere; performances equally grand, solitary, and unique. A great French geometer said of Newton, that he was the most sortunate of men; for only once was a system of the Universe to be established. So we may say

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of

of Columbus; for only once was a New World to be discovered, one half of the globe to be made known to the other.

After Columbus had discovered the way to this vast terra incognita, lying far off in the Atlantic seas, others followed apace, each striving to reach that "gorgeous east" which

"with richest hand Showers on her kings barbaric pearl and gold."

The English, the Portuguese, the French, and the Spanish. great western nations of Europe, vied with each other to reach Cathay and the East Indies by failing east from the shores of Europe. The Ganges and the Hydaspes, Indian streams, were reached by the Portuguese sailing round the Cape of Good Hope, while Columbus was still exploring the American coast, then supposed by him to be Asiatic shores, and hard by the treasures of that country. perfiftent efforts of European maritime nations to reach Cathay refulted in the discovery of the configuration of the American continent, and by those efforts they learned that a vast ocean lay between it and Cathay. Indian tales led to the belief that there was some water-passage through the continent to the great ocean beyond, which would shorten the passage which must otherwise be made round Cape Horn. The efforts to discover this water-passage led to a knowledge of the American coast, and prepared the way for European emigration and colonization.

While Spain claimed by virtue of original discovery and by papal decree all America, other nations claimed such parts as they had explored, and were not then in the possession of any Christian prince or people. The country was

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too

too vast for the protection of Spain. Besides, the Spanish had fallen upon the richest mineral parts of it, and were intoxicated with the treasure; they were unwilling to leave their Paradise to drive away other nations that were selecting and taking possession of other portions of the continent.

The claim of England to her share of America began in 1497, when Cabot sailed with a commission from Henry VII., authorizing him "to seek out, discover, and find whatsoever iles, countries, regions, or provinces, of the heathen and insidels, whatsoever they be which before this time have been unknown to all Christians." Cabot touched upon Newsoundland and returned. This was the first visit of Englishmen to these shores, and there is no record that the Spaniard had then ventured north of the Bahamas. Columbus was still exploring these and the West India islands, and about this time fell in with the mainland or continent.

This early visit of Cabot has always been put forth by England to establish her title to possessions in America, although it was not immediately followed by possession being taken in her behalf by Englishmen. No attempt to settle an English colony in America seems to have been made, and perhaps no idea of doing so occurred to any one, until the lapse of three quarters of a century after the visit of Cabot. Then Sir Humphrey Gilbert and Sir Walter Ralegh, kindred in blood as well as in enterprise, of Devonshire, England, put forth their efforts to settle an English colony in America. The credit of originating this design and of carrying it out belongs to these illustrious men. I need not recount here the heroic efforts of these two men during the ten years which sollowed the granting of the commission to Gilbert, in 1578, by

the queen of England. The immortal Gilbert reached Newfoundland, took possession in the name of England, and while farther exploring the coast westward, his vessel sank beneath the waves, carrying him to an untimely grave just after he had passed the threshold of his great enterprise. Ralegh, a younger half-brother, succeeded Gilbert, and sent hither the first English colony. He gave the name of Virginia to the American territory claimed by him as part of the jurisdiction of England. Ralegh bestowed great labor and made great outlay of money on his enterprise of colonization in and about Roanoke Island. He failed, however, to establish a permanent English colony, and lest his valuable experience and discoveries for others to make use of at a later period.

When King James I. fucceeded Queen Elizabeth, at the beginning of the feventeenth century, England had no colonies exifting in America. New France and New Spain were names that spread over North America. Virginia was an undefined territory on the Atlantic coast, still inhabited by savages and claimed by both Spain and France. England felt herself more an Islander than ever before. Peace had been made with Spain, and her sleets and armies were coming home and being disbanded. She was crowded, as was then thought, with population. Ralegh had then sallen under the displeasure of the new king, and was in prison, and was soon condemned to die.

At this juncture, two remarkable men turned public attention to English colonization in America. Lord Chief Justice. Popham, an aged and famous judge, and Sir Ferdinando Gorges, a young man who had been all his life in the wars of Elizabeth, with some others of note and character

character, planned a method of colonizing Ralegh's Virginia in America. They procured of the king a royal charter for two great companies, authorizing them to possess this territory and hold it as part of the English empire. This memorable charter was granted April 10, 1606. One company was to have the northern part of Virginia, and the other the southern. Virginia was now bounded for the first time by the great circles of the heavens; it was declared to lie between the thirty-fourth and forty-fifth degrees of latitude.

The fouthern company fent out a colony to inhabit its grant, and Jamestown was founded and settled, the first permanent English colony in America. After some delay the northern company, in which Popham and Gorges were particularly concerned, fent a colony to occupy their grant. The colony, led by George Popham, brother of the chief justice, and by Ralegh Gilbert, fon of the famous Sir Humphrey Gilbert, arrived at the mouth of the Kennebec river in 1607, A dreadful winter followed, and there established itself. with the death of the Lord Chief Justice and some others in England. These calamities almost destroyed this colonial enterprise. But Gorges refused to give up the plan of colonizing in these northern parts. He sent hither, to the coast of Maine, his veffels and agents, and kept up a connection with these parts until he persuaded others to join him in the enterprise of settling here an English colony. meantime Capt. John Smith, who had been one of the principal men in the fouthern colony, and who had been there two years, came to the parts assigned to the northern colony, in 1614, on a voyage of trade and fishing. Capt. Smith explored nearly all the coast within the limits of this colony colony as defined by the charter of 1606, made a map of the fame, wrote and published a description of the country. Smith did another thing which had no small effect in encouraging his countrymen to come hither: he named it New England, a name that was at once accepted and remains to this day.

All this time Gorges was collecting information of the country through his agents and through Indians whom his captains carried to him from these parts. He at last projected a new charter and a new plan of settling the country. This charter was granted by the king in the memorable year 1620. It is known as the New England charter, the territory granted lying between 40 and 48 degrees of latitude and the Atlantic and Pacific Oceans, and called New England. Gorges and his thirty associates were styled the "Council for planting, ruling and governing New England in America." None but "persons of honor and gentlemen of blood" were named as Councillors in the charter.

A new and energetic affociate with Gorges in his New England enterprises now comes into view, and for many years after is a chief figure in New England history. Capt. John Mason, a young and enterprising man, had been in Newsoundland as governor of the plantation made there in 1611, and was now returned into England. He immediately joined Gorges in settling New England, and their joint enterprise succeeded.

The hiftory of Capt. John Mason has never been written. Some years ago I discovered that I was descended from his chief agent, Ambrose Gibbons, who figures considerably in

our

our early history, particularly in that of New Hampshire. This led me to look after his principal, Capt. Mason, and I was amazed at the little that was known of him. Dr. Belknap, in his admirable American Biography, relates all he could find concerning him; and that is contained in a few lines, much of which I now find to be inaccurate. He is, of course, mentioned in that author's History of New Hampshire, but no new facts are given. He appears in one of the latest of American Biographical Dictionaries. scarcely mentioned in the Puritan literature of Massachufetts Bay of that time. The cause of this lies not very deep. Mason was a churchman and royalist, two things held in equal abhorrence by the Puritans. His agents and his colonists on the Pascataqua were of the same religious and political faith. The prejudice in New England against these opinions and those who held them has scarcely ceased to exist. I thank Heaven, a spirit of toleration now prevails that will allow the worthy founders and projectors of New England a hearing. Their names now fland forth in history, and their actions must be recounted.

Capt. Mason died in 1635, two centuries and a half ago. It is a good way back to find materials for his life, which extends into the reign of Elizabeth. I shall here recount briefly what I have discovered concerning him, and especially concerning his colonial enterprises.

Capt. John Mason was the only son of John and Isabella Mason, and was born in King's Lynn, an ancient seaport and parliamentary

⁵ Mr. Tuttle advocated and used this thor of the *History of New Hampshire*, form of spelling the name. It is the by John Farmer, the careful New Hampform used by the Rev. Dr. Belknap, au-shire antiquary, and by other writers.

parliamentary borough of England, fituated in the western part of the maritime county of Norfolk.⁶ How many generations of his ancestors resided there, I know not. His descent from Miles Mason, his great-grandfather, is as far as I have traced his lineage. His paternal ancestors were respectable, and the family large. Of his maternal ancestors I know little. His mother's furname was Steed, of a Yorkshire family.

King's Lynn, or Lynn Regis, the name that has belonged to the birthplace of Mason from the days of Henry VIII., is an ancient commercial town on the easterly bank of the Great Ouse river. For many centuries prior to the birth of Mason, it was the first, or one of the first, commercial ports on the eastern coast of England. Its inhabitants were extensively engaged in trade and fishing. Their vessels were known in the Baltic, on the stormy coast of Norway, in the Hebrides, and even in Greenland. Its streets, exchanges, and wharves were daily thronged with persons engaged in every species of maritime adventure. There were mariners who had failed on every fea, and experienced every peril that wind and wave could produce; there were also merchants experienced in every fort of traffic, who knew every viciflitude of fortune.7 Such was the current of daily life in King's Lynn during young Mason's residence there. It was calculated to awaken, in a youth of his capacity, an intereft

after the baptism of his daughter Dorothy, Dec. 28, 1589; and Col. Chester fuggests that he may have removed from Lynn Regis.

7 From King's Lynn, our Massachu-

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⁶ Col. Chefter in fubfequent refearches for Mr. Tuttle found Mason's baptism recorded on the register of St. Margaret's Church, King's Lynn, Dec. 11, 1586. No entries in relation to the father are found on the parish registers setts Lynn was named. — T.

interest in foreign enterprise and adventure, and to stimulate a desire to become an actor in the commercial drama.

How Mason passed his years prior to 1610, I have not discovered. Dr. Belknap says he was a merchant in London, but I know not on what authority. However this may be, he had this year risen to distinction in the naval service of the king.

Among the schemes of reform undertaken by James soon after he came to the throne, was the restoration or establishment of Episcopacy in Scotland and the reduction of the Highlands and Isles of Scotland to one religious and political rule. In 1606 he restored the order of Bishops in Scotland. For the diocese of the Hebrides including the Isles, he felected a man of eminent ability and capacity and of great personal courage. Andrew Knox, bishop of the Isles, was worthy of his great namefake, the Scotch Reformer. His undertaking was more dangerous, if less important. The people of the Isles were then not half reclaimed from Celtic and Scandinavian barbarifm. It was faid by an English admiral who knew these people well, that "the Christian world could not show a more barbarous, more bloody, and more untamed generation" than inhabited the Hebrides at this time. To enable the bishop to exercife his ecclefiaftical functions among this ferocious people, civil and military powers were given him by the king. In 1610 the bishop required the affistance of a naval force in fettling the "Laws of the Realm of Scotland" in these Isles.

The

⁶ It is probable that he was matriculated at the University of Oxford when he was in his fixteenth year, but did not

The king fent to his affiftance two ships of war and two pinnaces, all under the command of Capt. John Mason. It was agreed that Mason should fit out this little fleet at his own expense, and that the Earl of Dunbar, then treasurer of Scotland, should reimburse Mason on his return from that fervice, it being a charge upon the Treasury of Scotland. Capt. Mason proceeded with his little fleet to the "stormy Hebrides," where he remained fourteen months, affifting the bishop in subduing the rebellious Redshanks. The object of the expedition being accomplished, Mason returned to England to meet a great disappointment, one which must have been a turning period in his life. The Earl of Dunbar had died, before his return, without having provided money to pay Mason for his services and outlay in the expedition to the Hebrides. Mason's disbursement amounted to a large fum in those days, namely, £2,238. After some delay, King James granted him the affize of herring, due from Dutch fishermen on the Scottish coast. Scarcely was this done, when this British Solomon remitted the payment, at the request of the Dutch ambassador, who came to England bringing rich presents to the king's daughter, who had married Frederic, Elector Palatine. Mason got nothing for this but a promife of lands in Ireland, which, to use his own language fixteen years later, "took no effect." So late as 1629, a year memorable in the history of New Hampshire, Mason had not received one penny of this large fum due him in 1612. The debt, principal and interest, now amounted to £12,489 7s.9 In 1629 he applied to King Charles, fetting out

Vide DOCUMENTS, post, 1629, Declaration.

out his fervices and loss in the expedition, for the place of General Remembrancer, which it seems that he now got.

The next we hear of Mason after his return from Scotland and his failure to get reimbursed his expenses through a rent on the fisheries, he is in Newsoundland, governor of a plantation begun there in 1610, while he was in the Hebrides. We conjecture that his failure to get his money had something to do with his removal to Newsoundland, although no more efficient man for that service could be sound.

The Island of Newfoundland lay without the northern limits of Virginia granted in the charter of 1606. account of the extensive fisheries carried on in these waters and the proximity of the island to England, it was judged fit that an English colony should be settled there. Accordingly in the year 1610, the king granted a charter to a company of Adventurers and Planters of the cities of London and Bristol, authorizing the establishment of a Colony in Newfoundland. Among the perfons named in the charter are the Earl of Northampton, the Lord Privy Seal, Sir Lawrence Tanfield, Baron of the Exchequer, and the celebrated Sir Francis Bacon, the Solicitor General of England. The colony was despatched to Newfoundland the same year, with John Guy of Briftol, one of the affociates, as governor. The fettlement was on the north fide of Conception Bay, near the inner extremity.

Capt. Mason became governor of this colony as early as 1615, and remained there about fix years. During this time he thoroughly explored the island, especially its harbors and coasts and the numerous great bays, and became acquainted with

with the animals and vegetables of the island and some parts of its interior. He made while there a topographical survey of the island, and constructed a map which was engraved and printed, in 1626, in a very rare work entitled the "Golden Fleece." This is the first map of Newsoundland made from a survey, and approaches to accuracy. I know of no earlier map by an Englishman.

Nor is this all that Capt. Mason did for Newsoundland. Being an intelligent and capable officer, and having English colonization at heart, he employed his pen in advancing the interests of Newsoundland. While there he wrote a tract entitled "A Brief Discourse of the Newsoundland," and sent it to his friend Sir John Scot of Edinburgh, to peruse, and to print if he thought it worthy. It was printed in the year 1620, a year memorable in the annals of New England, and seems to have been wholly unknown in America. I never saw a reference to it in the hundreds of volumes I have consulted. My attention was first called to it on the occasion of its reprint at Edinburgh by the Bannatyne Club. It contains a brief description of Newsoundland.

10 The author was William Vaughan, D.C.L. Mason contributed to this work the following complimentary lines: —

In Honour of the Golden Fleece, described by Orpheus Iunior.

O How my heart doth leape with Ioy to heare,

Our New-found Ile by Britaines prized deare!

That hopefull Land, which Winters fixe I tri'd,

And for our Profit meet, at full descri'd. If Home of Fame, of quiet Life, or Gaine

May Kindle Flames within our minds againe:
Then let us ioyne to feeke this Golden

Fleece,

The like ne're came from Colchos into

Orpheus remoues all Errours from the way, And how this Land shall thriue, he doth

And how this Land shall thriue, he doth bewray.

Thus ships & coine increase, whe least we

Thus thips & coine increase, whe least we thought,

For Fish and Traines Exchange, and all

or Fish and Traines Exchange, and all unbought.

IOHN MASON.

- Golden Fleece, part first. To the Reader.

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Newfoundland, setting forth clearly the advantage and necessity of making it wholly a British province. It describes the climate, the products of the earth, the growth of European vegetables there, the greatness of the fishing interest and the mode in which it should be carried on. It would have been appreciated by Humboldt had it fallen in his way. It was mainly designed to interest the Scots in settling a colony in Newfoundland. Capt. Mason says that he wrote the "Discourse" at the request of friends, and for the "better satisfaction of our Nobilitie," that it is "unpolished and rude, bearing the countries badge where it was hatched, onely clothed with plainnesse and trueth."

In the spring of 1621, just before Mason left Newsound-land for England, the planters and fishermen of the several plantations made application to the king to send two ships to protect them from the pirates insesting that region, and to regulate the fishing, requesting that Capt. Mason be appointed the King's Lieutenant to command them. This appears to have been granted, for I find that Mason had a commission about this time from the Lord High Admiral. This shows the estimation in which Mason was held by the leading persons of Newsoundland, after many years' residence there. Hitherto he had been governor of an incorporated company; this made him a lieutenant of the king, with large powers and the jurisdiction of the whole island.

If Mason had not previously been in some personal relation with Sir Ferdinando Gorges, and I do not find any, he now, about this time, came to have official relations with him; for Gorges was one of the commissioners in England to regulate the fisheries in Newsoundland, and Mason must have

have come into relations with him as the King's Lieutenant and executive officer.

In the spring or summer of 1621, Mason returned into England," and immediately found proof of the effect of his little tract which had been printed the year before. Sir William Alexander, afterwards Earl of Stirling, immediately fought him out. He had been appointed Gentleman of the Privy Chamber to Prince Henry, honored with Knighthood, and was Master of Requests for Scotland. invited Mason to his house, where he discussed with him a scheme of Scotch colonization, and he resolved to undertake fettling a colony in what is now Nova Scotia. He begged Mason to aid him in procuring a grant of this territory from the Council for New England, it being within their limits. Mason referred him to Sir Ferdinando Gorges, one of the Council and their Treasurer. The king readily recommended Alexander to Gorges, and Gorges heartily approved the

11 Seven years after Capt. Mason left Newsoundland, Robert Hayman, who had also been governor of the island, addressed to Mason and his wife the following verses:—

The foure Elements in Newfound-land.
To the Worshipfull Captaine John Mafon, who did wisely and worthily governe
there divers yeeres.

The Aire in Newfound-Land is wholesome, good:

good;
The Fire, as fweet as any made of wood;
The Waters, very rich, both falt and fresh;
The Earth, more rich, you know it is no lesse.

Where all are good, Fire, Water, Earth, and Aire,

What man made of these foure would not live there?

To all those worthy Women, who have any desire to live in Newsound-Land, specially to the modest and discreet Gentlewoman Miltress Mason, wife to Captaine Mason, who lived there divers yeeres.

Sweet Creatures, did you truely underftand

The pleasant life you'd live in Newfoundland,

You would with teares defire to be brought thither:

I wish you, when you goe, faire wind, faire weather:

For if you with the passage can dispence,

When you are there, I know you'll ne'er come thence.

Quodlibets (1628), 2d Bk. p. 31.

T.

the plan. In September, 1621, Alexander obtained a Royal Patent for a tract of land which he called New Scotland, a name attractive to his countrymen. This must have been gratifying to Mason, who had urged Scotch emigration in his tract printed only a year before.12

The Council for New England, established in November, 1620, was now granting and ready to grant to affociations or to individuals parcels of its vast domain in America.

The year 1622 is a memorable one in the history of the Council for New England, as in the history of New Hampshire. In that year the Council by effective means appealed to new and powerful interests in favor of colonization on these shores, and gave an impulse to emigration; and New Hampshire was carved from the vast territorial domains of New England, and a fettlement projected within its limits. The President and Council, although beset by powerful opponents, at home and abroad, in parliament and out, made great efforts this year to carry out their defign of establishing settlements. Among other things they issued a printed pamphlet, 18 now of the greatest historical value and interest, containing a brief sketch of what had been done towards discovering and colonizing since the issue by King James of the great charter of Virginia in 1606; a description of the country and its commodities, a scheme for dividing

¹² For a full account of Sir William Alexander and his colonial enterprifes fee the volume entitled Sir William Alexander and American Colonisation, by the Rev. Edmund F. Slafter, which Historical Society, 2d Series, Vol. IX. was issued by the Prince Society in pages 1-25.

¹⁸ A Briefe Relation of the Discovery and Plantation of New England. London, 1622. This tract is reprinted in the Collections of the Massachusetts

dividing the territory into counties and baronies and smaller political divisions; a plan of general government over the whole, and soliciting those who looked with favor on the undertaking to join with them. "We have," they say, "made a most ample discovery of the most commodious country for the benefit of our nation that ever hath been found. . . . Further we have settled at this present several plantations on the coast, and have granted Patents to many more that are in preparation to be gone with all conveniency." They add that more than thirty vessels had already gone in that year, 1622, from the western parts of England to fish and trade.

The fecond patent for land granted by the Council was to Capt. John Mason, bearing date March 9, 1621-2.¹⁴ It was all the land lying between the Naumkeag and the Merrimac rivers, extending back from the sea-coast to the heads of both of these rivers, with all the islands within three miles of the shore. Mason called this *Mariana*. This tract of territory lies wholly within the present bounds of Massachusetts.

We now arrive at a period when Mason and Gorges have a joint interest in New England. On the 10th of August, 1622, the Council made a third grant. This was to Gorges and Mason jointly of land lying upon the sea-coast between

I infer that Gibbons was either in New England, or was intending to come hither foon. The first that we know of his being here is in 1630, when he was at Pascataqua.— T.

16 This document will be printed in full among the Charters in this volume.

¹⁴ I now have a full copy of the Mariana Patent, dated March 9, 1621-2, the first copy that appears to have been in this country. It will be printed in full among the Charters in this volume. Ambrose Gibbons is designated to put Capt. Mason in possession. From this

the Merrimac and the Kennebec rivers, extending threescore miles into the country, with all islands within five leagues of the premises to be, or intended to be, called the Province of Maine. Thus was the territory destined seven years later to bear the name of New Hampshire, first carved from the vast domain of New England, whose boundaries were fixed by the great circles of the heavens. Thus was Capt. Mason joint proprietor of his territory afterwards known as New Hampshire, before a fingle settler had built a cabin on the Pascataqua. Capt. Robert Gorges, son of Sir Ferdinando, was authorized to give the grantees possession of this new Province.

Great enthusiasm on the subject of colonization now prevailed in England, extending from the king, through all ranks. The prospect of having a government over this lawless region induced many, who had something to risk, to embark in the enterprife. The king issued a proclamation full of encouragement to those having or designing to have interests in New England. The great work of colonization was now fairly undertaken.

Before the year 1622 closed, the Council issued many patents for land, in small divisions, to persons intending to make plantations. Among the grants, is one to David Thomson and two associates, of land on the Pascataqua. The bounds and extent of this patent are unknown. the fact that fuch a patent was granted is preserved.¹⁶

we.

¹⁶ On the 14th of December, 1622, outh, England, to join with him in colombron entered into an agreement nizing the land of which he had just rewith Abraham Colmer, Nicholas Shercived a patent. The indenture, which

will, and Leonard Pomeroy, all of Plym- was discovered since this memoir was

we fee clearly enough that the project of the fettlement within the present territorial limits of New Hampshire originated in England during this year, 1622. The initiative movement is perceptible in these territorial grants to Gorges, Mason, and Thomson.

Early in the spring of 1623, David Thomson, a Scotsman and a "fcholar and traveller," fays one who knew him, 17 led the first English colony to the shores of New Hampshire. Thomson was a man of capacity and enterprise, and had been in the service of the Council for New England, a fact which of itself shows him to have been a person of high and honorable character. To these wilds, hitherto visited only by a few transient navigators, and fishermen, he came with his little company, and fat down at a place which Levett calls Pannaway, afterwards called Pascataway, and Little Harbor. This is the first English settlement in New Hampshire, and the initial point of the history of the State. I do not forget that Hubbard is authority for making Dover as old as this fettlement; but on looking over his feveral flatements concerning the Dover fettlement in his history, I do not find an agreement among them as to the time of Hilton's fettlement there.18

Thus

written, is printed by Charles Deane, LL.D., in a paper read by him before the Massachusetts Historical Society, May 11, 1876, in which he gives a hiftory of the first settlements on the Pascataqua river. The evidence seems to indicate that Thomson's settlement was the first. The paper is printed in the Proceedings of that Society, Vol. XIV. pp. 358-385.

17 Thomas Morton. See his New

English Canaan, 1637, p. 22; Prince Society's edition, 1883, p. 128.

18 Mr. Tuttle, a few years before his death, informed me that his later refearches had led him to place more confidence in Hubbard's statements on this point. Since his death Mr. William B. Trask has discovered, among the Suffolk Court files, a document which fupports Hubbard. It is a petition to the General Court of Massachusetts

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Thus the first settlement in New Hampshire, then known as a part of the Province of Maine, was auspiciously begun. All honor to Mason and Gorges, the great leaders in this enterprise! Looking back through two hundred and fifty years, to this little settlement on the Pascataqua, what an assemblage of historical associations rise before us!

The Council for New England, in view of the many intended fettlements, as well as the few already made, now proposed to set up a general government in New England. Capt. Robert Gorges, recently returned from the Venetian wars, was appointed Governor, with Capt. Francis West, Capt. Christopher Levett, and the governor of New Plymouth as his Council. Capt. Gorges arrived here the middle of September, 1623, having been preceded some months by Capt. West, who was Vice-Admiral of New England as well as Councillor. Capt. Levett came as late as November, arriving first at the Isles of Shoals, and then sojourning a month with Thomson at Pannaway. During his stay with Thomfon the weather was cold and the fnow deep. Capt. Gorges came there, from Massachusetts Bay, and produced his commission, and Levett was qualified as councillor. Several other

from William Hilton, son of William Hilton, who with his brother Edward were the sounders of Dover. The petitioner states that his father, William Hilton, came to New England in 1621, and that about a year and a half after, he himself arrived. "In a little tyme" they settled themselves, he says, upon the Pascataqua river, "with Mr. Edw: Hilton." We have evidence that William Hilton, senior, arrived at Plymouth in the Fortune, Nov. 11, 1621, and

was followed in the Anne, in July or August, 1623, by his wife and two children. One of these children must have been the petitioner. The document is undated, but was presented to the magistrates of the colony, May 31, 1660. It is printed in the New England Historical and Genealogical Register for January, 1882, Vol. XXXVI. p. 40, with an historical presace by Mr. John T. Hassam.

other members of the Council were present. It is probable that at this time Capt. Gorges delivered possession of the Province to his father and Mason, as was expressed in the patent to them, David Thomson being then and there authorized to receive it for them. Thomson was authorized to give Capt. Gorges possession of a tract of territory on the sea-coast between the Charles river and Nahant, which had been granted to him by the Council in December, 1622.

The little colony of which Thomson was chief was engaged in trade and fishing. It attracted to that place not only Indian traders, but all who were in these parts. It was known almost as soon as Thomson arrived at New Plymouth and at Nantasket. It is highly probable that the Pascataqua river was very soon explored, and that the country, for many miles round, soon became well known.

A stone structure was built for a dwelling-house, and was standing there more than fifty years later. It was known in later years as "Capt. Mason's Stone House." The site of this house is still pointed out at Odiorne's Point, Little Harbor. I have seen there what appears to be an ancient foundation, on the highest ridge of land on the Point.

When Thomson set out from Plymouth, England, Gorges was there, and undoubtedly encouraged the adventurer.

The next year, 1624, war between England and Spain broke out, and drew off for a while Gorges and Mason from their interests in colonization. Gorges was Captain of the Castle and Island of St. Nicholas, at Plymouth, a post that he had held for thirty years; and he was now wholly taken up with the duties of his office. Mason's services were required as a naval officer of experience.

When

When the expedition went against Cadiz, in 1625, under Viscount Wimbledon, Mason was Commissary General, having been appointed by the Lord High Admiral, the Duke of Buckingham.

In 1626 England plunged into a war with France, without having ended the war with Spain. Capt. Mason was advanced to be Treasurer and Paymaster of the English armies employed in the wars. There was no time now to think of American colonization. His duties were arduous; he was constantly called on, by the Naval Commissioners, to give advice regarding that service; he was often made a special commissioner to examine, and report on, the condition of the navy to the government.

In 1629 peace was made with France, and the war with Spain was coming to an end. No fooner were Gorges and Mason a little relieved from their public duties than they fprang at once to their old New England enterprise. resolved to push forward their interests. They came to some understanding about a division of their Province of Maine. On the seventh of November, 1629, a day memorable in the history of New Hampshire, the Council granted to Mason a patent of all that part of the Province of Maine lying between the Merrimac and Pascataqua rivers; 19 and Mason called it New Hampshire, out of regard to the favor in which he held Hampshire in England, where he had resided many Portsmouth was the chief naval station of England, and Mason lived there during the wars with Spain and France. The Duke of Buckingham, Lord High Admiral

¹⁹ This will be printed among the Charters in this volume.

miral of England, was affaffinated in Mafon's house in Portsmouth.

Capt. Mason did not probably recognize any physical resemblances between old Hampshire and his New Hampshire. In the quaint description of Hampshire by Thomas Fuller, written but little after this event, one may fee some refemblances. Fuller fays: "A happy country in the four elements, if culinary fire in the country may pass for one, with plenty of the best wood for the fuel thereof. pure and piercing the air of this shire; and none in England hath more plenty of clear and fresh rivulets of troutful water, not to speak of the friendly sea, conveniently distanced from London. As for the earth, it is both fair and fruitful, and may pass for an expedient between pleasure and profit, where by mutual confent they are moderately accommodated. Yet much of the arable therein is stony ground, though not like that in the Gospel where the grain grew up and withered fo foon, 'having no deepness of earth,' this bringing plenty of corn to perfection."

The Council authorized Capt. Walter Neale, then about to proceed to New England, to give Mason possession of the tract called New Hampshire. This grant had hardly been made when Champlain was brought to London, a prisoner, from Canada, by Kirke. The French had been driven from that region. Gorges and Mason procured immediately a grant from the Council of a vast tract of land in the region of Lake Champlain, supposed to be not only a fine country for peltry, but to contain vast mineral wealth. The Province was called Laconia on account of the numerous lakes supposed or known to be there, and was the most northern grant

grant hitherto made by the Council. The patent bears date Nov. 17, 1629, only ten days later than Mason's New Hampshire grant.²⁰

In the spring of 1629 accident brought together Mason and Capt. Walter Neale, a soldier of repute and courage. They may have met before, as Neale had served not only in the Low Countries under Count Mandsselt, but had been in the wars with Spain and France. Neale, like many others, had got but little pay for his services, and he was indistress for money. At length he was referred to Capt. Mason, treasurer of the army, for relief. The wars were now coming to an end, and Capt. Neale needed future employment as well as money.

Gorges and Mason, having taken out the patent of Laconia in the autumn, needed some one to lead their men to this wilderness, as soon as winter was over. They agreed upon Capt. Neale. In the spring of 1630 Neale and Ambrose Gibbons, another chief in this enterprise, set out from England in the bark Warwick for the Pascataqua, where there was probably a small colony. Neale undoubtedly put Mason in possession of New Hampshire, as he was authorized to do by the Council. Neale built fortifications to command the Pascataqua and granted lands to settlers, and for three years was the chief man on that river. He seems to have done nothing, although he made attempts in discovering and exploring Laconia. The treaty with France in 1632, however, restored all Canada to the French.

For the purpose of advancing the interests of Gorges and Mason

²⁰ This will be printed among the Charters in this volume.

Mason in Laconia as well as on the Pascataqua, they joined with them six merchants in London, and received from the Council a grant dated Nov. 3, 1631, of a tract of land lying on both sides of the Pascataqua river, on the sea-coast and within territory already owned by Gorges and Mason in severalty. This patent, called the Pascataqua Patent, covered, on the west side of the river, the present towns of Portsmouth, New Castle, Rye and part of Greenland; on the east side, Kittery, Eliot, the Berwicks, and the western part of Lebanon. Captain Cammock and Henry Josselyn were authorized to give the patentees possession of the territory. No name is given it in the patent.

This new affociation put new life into the Pascataqua colony. Planters, traders, and fishermen made their way thither. Houses were built and lands were cleared. There was a constant influx of new fettlers.

The scanty returns from the trade established by the association soon dissatisfied the merchants, and hardly two years elapsed when a dissolution took place and a division of the stock and lands was made. On the east side of the river Mason was allowed, for his share of the land, all above the little

representing contest was a there.—T. The copy mouth, Newington, Greenland, New Castle, and Rye. This is in direct conslict with the Swamscot Patent, as regards Newington and Greenland, or a part of Greenland, and is undoubtedly the reason of the encounter at Bloody Point between Wiggin, representing the Swamscot Patent, and Neale,

representing the Piscataway. The contest was at Newington, about land there. — T.

The copy of the Patent of Nov. 3, 1631, was fent to Mr. Tuttle by Col. Chefter, Aug. 19, 1871. In the summer of 1874, Mr. John S. Jenness visited England and obtained another copy, which he printed in the appendix to his First Planting of New Hampshire, pp. 82-84. The patent will be printed in this volume.

little Newichwannock river, about fifteen miles, and one quarter of a mile below. The lands on the west side, with the Isles of Shoals, were to remain in common at the time this division was made.

In the spring of 1634 Mason sent over Henry Josselyn as his agent, with a number of men to build a new saw-mill and a grist-mill at Newichwannock, or rather at a small fall at a place called by the Indians Assabenbeduck, on the little Newichwannock river, now South Berwick. These appear to be the first mills set up on the Pascataqua river. Francis Small, an Indian trader, affirmed this to be so about two hundred years ago. Mason had hitherto derived no profit from his efforts at colonization. In a letter to Ambrose Gibbons, his old and faithful agent, written in 1634, he says that he had never received a penny for all his outlay on his plantation in the Pascataqua. This, however, did not deter him; and to the latest days of his life, now drawing to a close, his thoughts and his efforts were directed to this enterprise.

In 1634 Mason was appointed Captain of the South Sea Castle, an ancient fortress commanding the entrance to the harbor at Portsmouth, England. This was a very important office. Most of such castles were commanded by noblemen of military skill, and who were well affected to the Sovereign. Mason's old associate, Sir Ferdinando Gorges, had commanded the castle at Plymouth, but had now retired from it. About this time Mason was appointed by the Admiralty to visit annually the Forts and Castles in England, and make a report to the government.

While in the Hebrides, in 1611, he became acquainted with the fisheries there, and saw the fitness of the Isle of Lewis

Lewis for a fishing station. The Dutch then did all or nearly all the fishing there, paying for a license. In 1629 Mason planned a scheme for purchasing the Isle of Lewis, and for fending as many as two hundred vessels there to fish. 1633 this ripened into the granting by the king of a charter flyled "An Affociation of the three Kingdoms for a General Fishery." Capt. Mason was one of the Council and its Treasurer. The members of this affociation comprised some of the highest of the nobility and great officers of state, as the Duke of Portland, the Earl of Rutland, the Duchess of Buckingham, Attorney General Noye, and others. For the encouragement of this enterprise it was ordered that the royal navy should be supplied with fish by this company, that Lent should be strictly observed, and that there should be no importation of fish. Mason was the leading spirit in this enterprise, which originated with him, and while he lived was thriving and prosperous. The king was often present at the meeting of the Council.

In June, 1632, Mason was elected a member of the Great Council for New England, composed, as we have seen, of "persons of honor and even of blood;" and in the November following, became Vice-President of the Council, the Earl of Warwick being then President. The Council often held meetings at Capt. Mason's house in Fenchurch street in London. This elevation shows the high estimation put on Mason by some of the foremost persons in England.

Early in 1635 the Council for New England became fatisfied of its inability to control affairs in New England. It had long had enemies at home as well as here. There was an unwillingness to recognize the powers granted by the

the Sovereign in the nature of government, and it had no ftrength to enforce its decrees. The Colony of Massachufetts Bay had become large and powerful, and difregarded all authority, kingly as well as other, as far as they thought it prudent. Complaints against the Council were constantly made to the Privy Council, and they were cited to answer. They determined thereupon to furrender their great Charter to the king, and to divide the whole territory of New England among themselves. Pursuant to this resolve, Mason received a new grant from the Council, dated April 22, 1635,22 of the lands hitherto granted to him by the Council. This grant embraced all the land between the Naumkeag and Pascataqua rivers, extending threescore miles inland, with the fouth half of the Isles of Shoals, to be called New Hampshire; also a further grant of ten thousand acres on the west side of the Kennebec river, to be called Masonia. Henry Josselvn and Ambrose Gibbons, both then on the Pascataqua, were authorized to give Mason possession of this new grant.

We must not forget to mention another grant of the Council for New England, which seems to consist with Mason's grant of New Hampshire. The patent, or rather a copy of it, has been discovered by the Hon. Charles H. Bell, and we now know for the first time its terms. It bears date March 12, 1629–30, and the grant is made to Edward Hilton. It is commonly called the Swamscot Patent,²⁸ and covered the lower end of Dover Neck, where the first settlement

²² The Charter will be printed in this volume.

²³ Printed in the New England Historical and Genealogical Register, Vol. XXIV. pp. 264-266.

fettlement was made, namely, Newington, Greenland, Stratham, and some part of Exeter. All this lies in New Hampshire, which had been granted to Mason less than four months preceding. It cannot be supposed that such a grant was made without Mason's knowledge and consent. It proved, however, an entering wedge to defeat and difpossess his heirs of New Hampshire. Hilton had already begun a fettlement at Dover, within its limits, and contemplated an enlargement. There may be in this a fufficient consideration for Mason to consent to the grant, and he may have previously executed a release of that tract for this purpose. It is obvious that any settlement, however small, in a wilderness advances the interests of the neighboring proprietors. The most notable occurrence on it in early times feems to have been a quarrel between Mason's agent, Capt. Neale, and Capt. Wiggin. The scene of this quarrel has ever fince been known as "Bloody Point," and is in the town of Newington. Each claimed land there, by what title it is not certain as regards Wiggin.

On the furrender of the New England Patent in 1635, it was the defign of the king to fet over that territory a general Governor, and Sir Ferdinando Gorges received the appointment. To complete the viceregal government, Capt. John Mason was appointed, October 1, Vice-Admiral 24 of New

prizes; adjudged falvage claims for p. 37.) — T.

24 "A vice-admiral then represented, wrecks; and, in return for his charges in his particular district, the chief of the naval administration. He was him tell judge as well as administrator and A necessary condition of his Patent captain. He pressed men for the public service at sea. He boarded pirate fines, seizures, and other emoluments at ships; decided upon the lawfulness of stated times." (Forster's Eliot, Vol. I.

New England. This was a very great defign, and had it been carried out who can fay what would have been the history of New England to-day?

Gorges never came to exercise his office in New England. Mason made every preparation to come to New Hampshire, looking forward to a visit to his plantations as well as to the charge he had undertaken. In November he was taken ill, and died early in December, 1635, an event that proved disastrous to his interests in New England, which fell, by the terms of his will, to his widow and to his grandson, then not one year old. The death of so energetic a churchman and royalist was regarded as a divine savor by the Puritans of Massachusetts Bay.

The last year of Mason's life was the busiest in his whole career. What he had so long struggled for seemed about to be given him. He was this year one of the Judges of the Court of Oyer and Terminer for his county, Hampshire, and came near being Judge of the Court of Vice-Admiralty for that shire. His cousin, Dr. Robert Mason, obtained this last position. The Duke of Portland, Vice-Admiral, had recommended the appointment of either Capt. John Mason or Dr. Robert Mason.

Capt. Mason's will, dated Nov. 26, 1635, is a very interesting document, and will never cease to hold a high place in the early history of New Hampshire. It shows his latest thoughts and plans regarding his province, and that it was his greatest worldly concern. He calls to remembrance a large number of his kindred and friends, and also his birthplace and Portsmouth, and bestows gifts on all. To his young grandchildren, the eldest only seven years old, he devises

devises the province of New Hampshire, and on certain contingencies to Dr. Robert Mason. He authorizes his brother-in-law, Sir John Wollaston, afterwards Lord Mayor of London, and his wife, Anne Mason, with all speed after his decease, at the charges of his estate, in due form of law, to "settle and convey one thousand acres of the said land to some feosfees in trust and to their heirs forever, for and towards the maintenance of an honest, godly and religious preacher of God's word in some church or chapel or other public place that shall be appointed for divine worship and service within the said county of New Hampshire." He also authorizes the same persons to convey in trust another thousand acres of land towards the maintenance of a Free Grammar School for the education of youth in some convenient place within the said county of New Hampshire.

He directs that he should be buried in St. Peter's Church. London, that great maufoleum of kings, princes, and no-That he was worthy of fuch a fepulchre no one can doubt who will furvey his actions without prejudice. His name belongs to two worlds. But for the religious and political prejudice of the times, and especially the Puritanic element of New England, his fame had long fince fpread far and wide. If the highest mortal honor belongs to founders of states, as Bacon has declared, then Mason deserved it. To seize on a tract of the American wilderness. to define its limits, to give it a name, to plant it with an English colony, and to die giving it his last thoughts among worldly concerns, are acts as lofty and noble as any recorded in the history of colonization. Such achievements awaken our admiration and deferve our homage. Cheerfully then then do we place the name of Mason at the head in the annals of New Hampshire, and bespeak for it everlasting remembrance and honor.

Capt. John Mason married Anne, second daughter of Edward Greene, a goldsmith and citizen of London. She was sister to Rebecca, wife of Sir John Wollaston, Knt., Lord Mayor of London in the year 1644, and alderman and sheriff. He is the same person whom Mason mentions in his will as his brother-in-law John Wollaston, to whom he consides important trusts in certain contingencies. Joshua Greene, a brother of Mrs. Mason, was, in the years 1637, 1652, and 1659, Mayor of King's Lynn, Mason's birthplace and the home of the Greene family. Mrs. Mason survived her husband twenty years, dying in 1655. She was the executrix of his will, and entitled to all the profits of his estate during her life.

Capt. Mason had but one child, a daughter Anne, who married Joseph Tuston, a connection of the noble family of Tuston of Sussex. Three sons and two daughters were born of this marriage, and were the only representatives of Capt. Mason. All except the eldest, who died young, are mentioned in Capt. Mason's will. The history of these grandchildren forms a subject of great interest, three of them being the devisees of Mason's vast estates in New England. The eldest was only seven years old at the time of Mason's death.

John Tufton, the eldest son, died before he became of age, and his interest passed to his brother, Robert Tuston, who came to New Hampshire in 1680 and was a member of the Provincial Council. He was also of the Council of Dudley and

and Andros during the union of the New England States. Robert Tufton took the furname of Mason, as required by the will, in order to take the property of his grandfather. He died suddenly at Kingston, N. Y., Sept. 6, 1688, leaving descendants. To the efforts of Robert Mason New Hampshire is indebted for her independent existence for two hundred years.

Anne Tufton, to whom Capt. Mason devised Masonia, married Dr. Richard Gibbon, originally of the County of Kent, and of the same samily with the illustrious historian of the Roman Empire.²⁵

Tuttle for the New Hampshire Historical Society, and was delivered before it as an Address at the annual meeting in Concord, Wednesday evening, June 14, 1871. It was repeated, in Boston, Mass., before the New England Historic Genealogical Society, at its quarterly meeting, Wednesday afternoon, April 3, 1872, and perhaps was subsequently delivered before other historic text of the memoir address delivered in except that in the last of the new geneaus Mr. Tuttle added in livered the address that the editor has changes which were to the present work.

before other historical societies. The text of the memoir here printed is the address delivered in 1871 at Concord, except that in the last two pages there are a few new genealogical facts, which Mr. Tuttle added in 1872, before he delivered the address the second time, and that the editor has made some slight changes which were needed to adapt it to the present work.





THE

FAMILY OF CAPTAIN JOHN MASON.



APT. JOHN MASON was the fon of John Mason, of King's Lynn, in Norfolk, whose father was William, and his grandfather, Miles. Of his father, John Mason, little has been ascertained. Col. Joseph L. Chester, LL.D.,

D.C.L., who made researches concerning this samily for Mr. Tuttle, found at King's Lynn the record of the baptism of three of his children. In the old lists of the "Freemen" of that borough he found the following entries relating to a person or persons of his name, though we have no proof that either entry refers to him:—

1565, John Mason apprentice to Tho. Wilkynson, Tailor.26
1575, John Mason 50° paid 50° Mich £5.27

Mr. John Mason,

That is, John Mason became a freeman regularly, after serving the due course of apprenticeship to a tailor.—

M.S. letter of Col. T. L. Chefter.

MS. letter of Col. J. L. Chester.

That is, this John Mason purchased his freedom, as it was called, and paid £2 10s. down, and was to pay £2 10s. more the next Michaelmas. This was a good deal of money in those

days, equal at least to £50, or \$250, now, and only well-to-do people could afford thus to purchase the freedom of a city or borough. It is quite probable that this was Capt. John's father, but it is of course impossible to be positive about it. — MS. letter of Col. Joseph L. Chester.

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Mr. John Mason, of King's Lynn, married, probably in Yorkshire, Isabel Steed, of that county. No record of the marriage has yet been found. The baptisms of the following children are on the parish register of St. Margaret's Church, Lynn Regis: -

1583, Dec. 1, Sara Mason, dau. of John. 1586, Dec. 11, John Mason, son of John.

1589, Dec. 28, Dorothy Mason, dau. of John.

There are other baptisms on this register of persons named Mason, but none of them are children of John.28

Col. Chester thinks, from the absence of later records in relation to Mr. John Mason, at King's Lynn, that he removed from that place, and fuggests Portsmouth as the town where he probably fettled. He and his wife were probably dead in 1635, when his fon, Capt. John Mason, made his will, as there is no mention of either of them in it.

Capt. John Mason was, there seems to be little doubt, at one time a student at the University of Oxford. Tuttle having fuggested to Col. Chester that he was a University man, the latter writes, under date of 16 March, 1872:-

I think you are right about Mason's being a University man. I find that "John Mason" matriculated at Magdalen College, Oxford, 25 June, 1602, aged 15 (that is, at last birthday) as "Pleb. fil." (that

28 There are two other old parishes searched. In that of St. Nicholas he in Lynn Regis, namely, All Saints and found a number of entries relating to St. Nicholas. In the Register of All that surname. There are no indicasaints, Col. Chester did not find the tions, however, that these persons were name of Mason in the period which he related in any way to Capt. John Mason.

is, paid the fees of a plebeian's fon), and as of the county of South-ampton. There is no other record of him at Oxford, and the names of parents were not given in the matriculation register at that period. I have no doubt this was Capt. John Mason. It will account for his subsequent allusions to Portsmouth, and will explain why his father's family disappeared from the registers of Lynn: they probably removed to Portsmouth. John, from the date of his baptism at Lynn, would have been fifteen years old about December, 1601. I have copious extracts from the Portsmouth registers, which I searched years ago; but unfortunately none exist earlier than 1654, so that nothing is to be hoped from them.

Capt. John Mason was married in 1606, when he was in his twentieth year. The marriage is recorded in the parish register of St. Margaret's, King's Lynn, as follows:—

1606, Oct. 29, John Mason with Ane Greene, d. to M' Edward, of London, Goldsmith.

Of his father-in-law, Edward Greene, little has been afcertained, except that he was a goldsmith in London, as stated in the parish register, and that he died in 1619 or 1620.²⁰ A sister of Mason's wife, Rebecca, married Sir John Wollaston.³⁰

Col. Chefter,

persons mentioned. — Abstract by Col. Chester in MS. Joshua Greene, who married his daughter Sarah, was an Alderman of King's Lynn. His will was dated 29 June, and proved 21 Nov. 1646. His wise Sarah was living. — MS. letter of Col. Chester.

Mollaston was a citizen and goldsmith of London; Alderman of London, Sheriff in 1638, and Lord Mayor in 1643. He was buried at Highgate, Middlesex, 29 April, 1658.

Edward Greene, of St. John Zachary, London, Goldsmith. Will dated 12 Jan. 1618-19, proved by his wife Anne, 14 Jan. 1619-20. My dau. Sarah, wife of Johna Greene of King's Lynn, Linen Draper; my dau. Anne, wife of John Mason; my dau. Elizabeth, wife of Edward Lambert of Banstead, co. Surrey, Gent.; my dau. Rebecca, wife of John Wollaston of London, Goldsmith; my sister Margaret Wood dwelling in Bush Lane, London. No other

Col. Chefter, the refult of whose researches forms the basis of this chapter, says of Capt. Mason, "his origin was doubtless humble," adding that "he was made a gentleman by having arms granted to him." A tricking of these arms, a facsimile of which is given in the margin, was sent to Mr. Tuttle by Col. Chester, with this information about it: "There is a record in one of the volumes of Miscellaneous Grants in Heralds' College, that these were his arms, but the original grant is not to be found. The mullet in the chief should be much smaller" than in the tricking, "as it is only indicative of difference. The arms are blazoned thus:



"Argent, a fess azure, in chief two lions' heads couped of the last, a mullet sable for difference. Crest, a lion's head couped azure charged on the breast with a mullet or between two wings argent.



"The mullet of course indicates that Capt. Mason was the third son."

The facts in the life of Capt. Mafon, given in detail in the preceding memoir, need not be repeated here.

He died in November or December, 1635. He directs in his will that

his body be buried in the Collegiate Church of St. Peter, in Westminster, but his name does not appear in the Register

His wife Rebecca was also buried there I June, 1660. In her will she mentions "my niece Mrs. Anne Ashurst, daughter

of my late sister, Mrs. Anne Mason, deceased." — MS. letter of Col. Joseph L. Chester.

Register of Burials of that church. The probability is, however, that he was buried there.81 His wife furvived him. and died in the year 1655.

His

⁸¹ Col. Chefter writes to Mr. Tuttle under date of March 9, 1871: "It is not impossible that he was buried there, and there are some good reasons for

fuppoling that he was.

"In the first place, the Abbey Regifter for this period is, and professes to be, imperfect. The old register was evidently purposely mutilated after the Restoration for the purpose of getting rid of the entries in it relating to the family of Cromwell, and those of his affociates who had been buried there. The bodies of many of them were at that time dug up and thrown into a common pit in the churchyard. The fame spirit evidently led to the mutila-tion of the registers. About 1661 one of the officials of the Abbey, as is distinctly stated in the commencement of the earliest volume, collected together the fragments and transcribed the entries as well as he could. I know from abundant proof that quite a number of persons were buried in the Abbey whose names do not appear in the Register. It does not follow, therefore, that because Capt. Mason's name does not appear, he was not buried there.

"In the fecond place, if not buried in the Abbey, where was he buried? You will notice that in his will he is described simply as 'of London.' But in the Probate Act Book, where a separate record of all probates was kept, and in which the parish in which the testator died is usually given, he is described as of the City of Westminster. He was doubtless ill at the date of his will, and died shortly after, as there was an interval of only twenty-fix days between the date and the probate. It does not feem likely that he would have

been moved during his illness, and the words of the Probate Act are fufficient evidence that he died in Westminster. Now, if not buried in the Abbey as he directed, and unless carried away to be buried in the country, he ought to have been buried either in St. Margaret's, Westminster, or St. Martin's-in-the-Fields, then the only two churches in the City of Westminster. I have carefully examined the parish registers of both, and can safely say that he was not buried in either. This leads to the prefumption that the direction in his

will was obeyed.

"Then again, on the preceding 27th of March (1635), was buried in the Abbey the Rev. Dr. Edmund Mason, then Dean of Salifbury. He had been tutor to Prince Charles, afterwards King Charles II., and died at his house in Petty France, a district of Westminster. He left no will, but his estate was administered on the 16th of June following by his 'brother Thomas Mason, Esq." Dr. Mason became Dean of Salisbury, 20 March, 1629-30, and died 24 March, Now, you will notice that 1634-5. Capt. John Mason mentions his 'cous-Thomas Mason, Gent.' Was not this the same as the Thomas Mason who administered on the estate of his brother, Dr. Mason? Dr. Mason appears to have been unmarried, and it is quite probable that this Thomas Mason was the real occupant of the house in Petty France, and that both the Doctor and the Captain died under his roof.

"Of course this is to a great extent

conjecture."

For further information concerning the mutilation and deficiencies of the Abbev

His only daughter, Anne, married Joseph Tufton, of Betchworth, Surrey, fon of John Tufton, of Peasmarsh. Sussex. Their marriage license, dated June 27, 1626, is recorded in the Bishop of London's Registry. Joseph Tuston must have died before February, 1654-5, when Mrs. Mason made a nuncupative will, 22 as his wife then bore the name of Ashurst. Who Mr. Ashurst, her husband, was, we have not ascertained. Mrs. Anne Ashurst was living, May 13, 1659, when her aunt Mrs. Rebecca Wollaston made her will. Joseph and Anne Tufton had five children, namely, Mason, Anne, John, Mary, and Robert, as will be feen in the tabular pedigree which will be appended to this chapter. The last four were living when their grandfather, Capt. Mason, made his will.

Robert Tufton, the youngest child, was born late in the winter or early in the fpring of the year 1635. This is a later date than is usually given. Farmer, in his edition of Belknap's New Hampshire, page 253, states that he was fifty-fix years old when he died, which would make him born in 1632. Other authorities call him fifty-nine when he died. If so, he would have been born about the year 1629. The author of the "Narrative of the Claim, Right, and Title of the Heirs of the late Hon, Samuel Allen" feems to have thought fo; for on page 4 of that work it is stated that "Robert

Abbey registers, see Col. Chester's preface to his Westminster Abbey Registers, published by the Harleian Society in

1875.

82 I have a note of a nuncupative will merely states that on being asked by feph L. Chester.

Mrs. Anne Ashurst, alias Mason, how she would dispose of her goods, and who should be her executor, she replied that her grandson, Robert Mason, alias Tuston, should be her sole executor. of Anne Mason, the Captain's widow, He administered on her estate, 12 Nomade in or about 20 Feb. 1654-5. It vember, 1655. - M.S. letter of Col. Jo"Robert Mason came not of age before the year 1650." The year which we adopt is deduced from a statement in the "Title of Robert Mason," a document which, if not drawn up by Mason himself, must have had his fanction. It is there stated that Robert Mason was only nine months old when his grandfather Mason died. This would make him born early in 1635. The pedigree in the "Visitation of London," 1633, shows that he was not born at the date of that visitation. In this pedigree, which is signed by Capt. John Mason himself, the name of Robert does not appear among his Tuston grandchildren, though the names of the other children in this family, Mason, John, Ann, and Mary, are given."

On the 12th of November, 1655, Robert administered on his grandmother Mason's estate. He then bore the surname of Mason, which his grandfather's will required him to take. He married Elizabeth, daughter of William Taylor, of Bradley, in Hampshire, by whom he had at least three children, namely, John, born about 1659, Robert, and Elizabeth. He came to New England in 1680. While in this country he was active in pressing his claims to his New Hampshire inheritance. He was a member of the Council of the Province of New Hampshire, and also of the Council of New England, under President Dudley and Governor Andros. He died at Esopus, a village in Kingston, New York, Sept. 6, 1688, while visiting, with Sir Edmond Andros, the New York settlements. His sons, John Tuston Mason and Robert Tuston

Vide Title of Robert Mason, in New Hampshire Documents, by John Vol. XVII. p. 85.
S. Jenness, 1876, p. 78.

**Harleian Society's Publications, Vol. XVII. p. 85.

**Visitation of London, 1664.

Tufton Mason, sold their claim to New Hampshire, April 27, 1691, to Samuel Allen. The eldest, John, is said to have died unmarried in Virginia.

Robert Tufton Mason, the second son of Robert Mason, married Catharine, daughter of Thomas Wiggin. He was lost at sea, in the year 1696, leaving two children, Elizabeth and John, neither of whom used the surname Mason. Elizabeth Tufton married Walter Philbrick, who died in 1732; and after his death she married the Rev. William Allen, of Greenland, New Hampshire. Descendants of Capt. Mason through her are now living.

John Tufton, of Portsmouth, son of the preceding, married Susanna Mossett, of Boston. The date of the publication of their intended marriage was Oct. 31, 1710. Their children, all born in Boston, were: (1) John, born April 27, 1713; (2) Robert, born June 10, 1716; (3) Thomas, born June 12, 1718. Capt. John Tuston, the father, died in Havana, in 1718; and his widow, Susanna, married, April 21, 1720, Thomas Martin. 88

John Tufton, the eldest son of the preceding, born April 27, 1713, in order to sustain his claim as the heir to Mason's rights in New Hampshire, added the surname Mason soon after he became of age, and was known as John Tufton Mason. He sold his claim to that property to the Masonian Proprietors in 1746. Late in life he removed to Buckden.



³⁶ Vide Wentworth Genealogy, by John Wentworth, LL.D., 2d ed. (1878), Vol. I. pp. 175, 176.

st New England Historical and Genealogical Register, Vol. XXXVIII. p. 286.

⁸⁸ Thomas Martin, by his wife Sufanna, widow of Capt. John Tufton, had at leaft two children, — Sufanna, born Jan. 20, 1724, and Samuel, born June 10, 1726.

den, England, and died there Aug. 8, 1787. He married Maria Therefa Van Harts Bergen, and had two children, — Sarah Catharine, who married Samuel Moffatt, and Anne Elizabeth, who married Peter Livius.

Thomas Tufton, of Boston, the youngest brother of the preceding, married, first, Sept. 7, 1744, Elizabeth Gooding. She died Aug. 18, 1760, and Mr. Tufton married, secondly, Feb. 26, 1762, Anne True, who survived him. He died in 1762. His children by his first wife were, (1) Elizabeth Tufton, born Jan. 2, 1746, who married, first, Benjamin Seward, July 4, 1765; secondly, Benjamin Curtis, June 27, 1769; and third, Elias Tuckerman, Sept. 19, 1779; (2) Thomas Sackville Tuston, a trader of Groton, Mass.; (3) Susanna Tuston, who married a Mr. Mullin, and in 1797 was a widow residing at Halisax, Nova Scotia. Thomas Tuston, by his second wise Anne, had a posthumous son, John Mason Tuston, born March 6, 1763.

A tabular pedigree is appended. It is based upon one drawn up for Mr. Tuttle in April, 1871, by Col. Chester, from the "Visitations of London," 1634 and 1664, a volume called "Vincent's Surrey," another known as "2 D. 14," and other records, all in the Heralds' College. Wills, parish registers, &c., in his own collections were also used by him in compiling the pedigree.

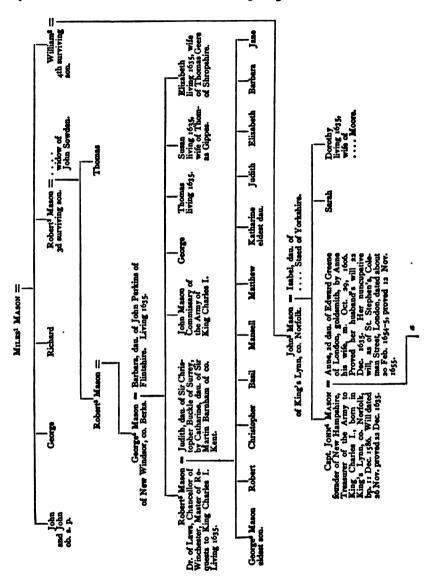
Miles Mason

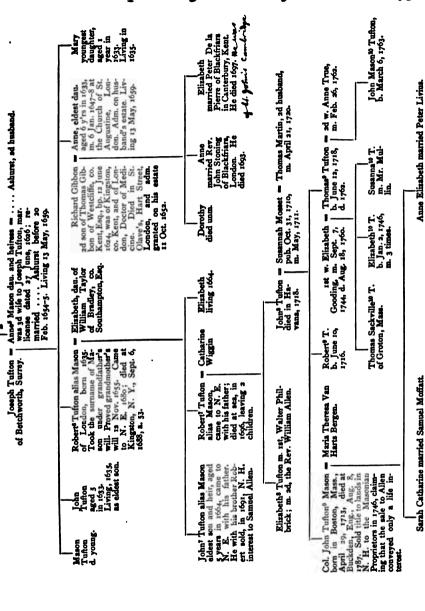
⁴⁰ See an account of their descendants in Brewster's Rambles about Portsmouth, 1st Series, p. 130.

N. H., advertised in 1787, that John Tuston Mason, formerly of Portsmouth, now of Buckden, Great Britain, and Mary his wife, had made him their attorney to transact business in the United States. See advertisement in the New Hampshire Mercury, May 24, 1787.

mouth, Ist Series, p. 130.

1 See sketches of Peter Livius in Brewster's Rambles about Portsmouth, 1st Series, p. 131; 2d Series, 1869, pp. 78-83; and Sabine's American Loyalists, 2d ed., 1864, Vol. II. pp. 22, 23.





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CAPTAIN JOHN MASON'S PATENT OF MARIANA.

By CHARLES LEVI WOODBURY.



HE Patent of Mariana, bearing date March 9, 1621-2, has a curious history. Its bounds are from Nahumheik river by the fea, around Cape Ann, to the Merrimac; and it extends into the interior to the heads of faid rivers. This terri-

tory in 1635 was again allotted as part of Capt. John Mafon's interest, in the closing up of the affairs of the Great Council of Plymouth. .The title was disputed by the Company of Massachusetts Bay, who relied upon a "deede" said to have been made by the Great Council of Plymouth, March 19, 1627-8, to Sir Henry Roswell and others, of lands

bury, of Boston, an intimate friend of Ann and Salem, and has written a book in his historical investigations, has kindly contributed this chapter. Mr. Woodbury has devoted much time to the listory of John Woodbury, a pioneer in the lettlement of those places.

42 The Hon. Charles Levi Wood- study of the early settlements at Cape Mr. Tuttle, who often confulted with him entitled An Old Planter in New Englands which included Mariana. A charter was indeed granted to these persons by the king, March 4, 1628-9, in which charter said deed is recited, and the king confirms the deed, erects these parties and their suture associates into a corporation by the name of the "Governor and Company of the Massachusetts Bay in New England," and gives them defined powers of government and of making laws not inconsistent with the laws of England within the territory described, reserving the freedom of the sistery and a share in the minerals and ores.

The deed recited in the Massachusetts Charter of 1628-9, as made by the Great Council of Plymouth, has never been exhibited since that charter was issued. Neither the Great Council of Plymouth, who repeatedly asked to inspect it, nor any historian has ever seen it; nor was it produced in any stage of the litigation with the Mason heirs, or Capt. Mason, on the title to Mariana.

Doubts were early cast upon the authentic character of the deed, and even upon its existence, independently of the dispute as to its legal effect. A recital of the entire controversy would not aid in following the history of the Mariana Patent. The recited deed stated that the Great Council of Plymouth had, on the 19th of March, in the third year of Charles I., under its common seal, granted to Sir Henry Roswell and others all that part of New England which lies between the Merrimac and the Charles, and all those lands lying within three miles south of the Charles and the Bay, and all those lands lying within three miles north of the Merrimac, &c. This included the Robert Gorges tract on the south, and Mariana on the north, which were

were long previously granted away by the Council. There was between their lines a frontage from near Nahant to the Nahumheik river which had not been previously granted to any one, and which, it was not contested, had by some deed passed to the new grantees.

Capt. Mason had been in possession of Mariana before the Company of Massachusetts Bay came into existence.

The heirs of Mason state, in various petitions to the crown, that Capt. Mason had made settlements on it. For example, in the case submitted to the Privy Council,48 they allege that he fettled persons as early as 1622 at Cape Ann, and that his steward continued there until 1630, when the Massachusetts Colony violently evicted them. The "Records of the Governor and Company of Massachusetts Bay," Vol. I. p. 76, fustain this latter statement. It was ordered, September 7, 1630, "that a Warrant shall presently be sent to Agawam to command those that are planted there forthwith to come away." Agawam was the best part of Cape Ann, on its north fide; and the Company of Massachusetts Bay soon established a strong settlement there, whether for fear of the French or to keep Mason out is best determined by their former and subsequent conduct.

The death of Capt. Mason soon removed present danger of interference from the proprietor of the soil. The government of the country and the law-making powers were in the control of the Company of Massachusetts Bay; and it proceeded rapidly to organize the inhabitant freemen of settlements into town governments, and grant them all the lands within

⁴ Vide New Hampshire Documents (1874), p. 177. - W.

within the township limits which it defined. This step was probably devifed to meet the event of the proceedings pending in England at that time 4 to revoke their charter, with the expectation that the lands thus given to the towns would not revert to the crown if the charter should be revoked. which certainly would have been the case had the title remained in the corporation. This menacing Quo Warranto also engendered a huge crop of Indian deeds as reserve covers to grants made by the company. Domestic trouble in England put this Quo Warranto asleep, but another might be apprehended at any time favorable for their opponents; fo, in 1657, the General Court enacted a Statute of Limitations, that five years' adverse possession by those who held houses or lands prior to 1652 should bar any afterclaim by any one, and in 1692 this was cut down to three years.

As in 1652 the General Court of Massachusetts Bay had seized Maine on a new construction of their northern boundary, the appositeness of this law to freeze out the patentees was not its least recommendation to popularity. Joseph Mason, agent for the widow of Capt. Mason, in vain petitioned for restitution of her lands, and brought a suit at the General Court of Massachusetts against Richard Leader and others, for trespass, at Newichwannock, Maine. The court in 1653 in giving him damages declined to recognize his patents, but sounded his right on some Indian deeds it alleged Mason had obtained.

The

Wide New England Historical and pp. 209-216, for facts relating to the Genealogical Register, Vol. XXXVIII. Quo Warranto of 1635.

The heirs of Mason, after the restoration of the king, were not idle. Petitions to the king in council were pressed by Robert Mason in 1660, and in 1661 he procured a reference to, and a savorable report from the Attorney-General, who was aided by several doctors of the law in the examination and hearing. In 1664 the king sent commissioners to America specially instructed as to New Hampshire, who accomplished little because of the opposition of the Company of Massachusetts Bay.

In 1671 both the heirs of Mason and of Gorges again were petitioning; but the war in Holland in 1672 delayed proceedings, and Massachusetts again extended her government over Maine.

In 1674 the petitions were renewed by Mason and by Gorges, and the Privy Council directed the titles to be examined. The crown lawyers reported in favor of Mason's title.

In 1676 Maffachufetts urged her views of these matters in a formal document, whereupon the Lords of Trade and Plantations were ordered to examine the claims of the contestants and of the Company of Massachusetts Bay, the Chief Justices of the King's Bench and of the Common Pleas advising with them. Massachusetts appeared by its agents, and disclaimed all title to the lands of Mariana and of New Hampshire, but suggested that Mason's contest involved the title of those who occupied the lands, and who were not present. The Lords reported to the Privy Council that Massachusetts had no title to the lands; but that the grant, in the charter of Charles I., of jurisdiction over Mariana to the Company of Massachusetts Bay was presumed valid.

The

The Privy Council, July 20, heard the representatives of these contestants, and confirmed the findings of the report. Robert Mason, thus, after forty-five years of exclusion, had the validity of his patent of 1620, of Mariana, from the Great Council of Plymouth, confirmed by the law authority of the kingdom.

Was he benefited practically by this? The jurisdiction of Massachusetts had been recognized, and he must sue in her courts and rely on her laws to ouft the intruders to whom the company had given his lands and protected them in their possession. The whole population, with its freemen, jurors, court officers, and judges, were interested against his recovery. The king declared that the vacant lands in Mariana should pass at once to Mason's possession, but as to those occupied adverfely to him the Company of Massachusetts Bay should provide a special and disinterested court and jury where he could fue the terre-tenants, and should give him a fair trial, and if Mason was dissatisfied, an appeal should be allowed to the Privy Council, who would finally decide it; and that Mason should be under the king's protection whilst in Massachusetts, free from arrests, summons, or interference.

The five years' limitation for fuits to difturb an adverse possession, established by the Colony Act of 1657, and a rule of Court, 1672, that the bare adverse possession was sufficient against a prior patent, being the established law, the chance of any benefit arising to Mason, except from the vacant lands, was small indeed. Mr. Tuttle made many searches, and enlisted the help of the court officers of Essex County, to ascertain whether any suits were brought by the Masons

or by Mr. Allen, their affignee, to recover lands; but, as he informed me from time to time, these investigations were fruitless.45

"Mariana" was one of the subjects of a deed dated October 14, 1690,46 made "between John Tufton Mason and Robert Tufton Mason, sons of Robert Tufton Mason, sometime of the Parish of St Martins in the fields in ve County of Middlefex, Efgr., dec'd, of ye one part, and Samuel Allen of London, Merchant, of the other part," by which they granted to Allen "all that Province or tract of land in New England in America commonly called New Hampshire, lying between the Rivers of Namekeke and Piscattagua, and the ground & foil therein, and also the South half of ye Isles of Shoals, together with all other Islands and Islets, &c., &c.," also "Masonia," on the Kennebec.

The charter of the Company of Massachusetts Bay was vacated in 1684, and in 1691 the Province Charter was granted by William and Mary, by which it was "provided that nothing herein contained shall extend or be understood or taken to impeach or prejudice any right, title, or interest, or demand, which Samuel Allen of London, Merchant, claiming from or under John Mason, Esqr., deceased, or any other person or persons, hath or have or claimeth to have, hold, or enjoy, of, into, or out of any part of the premifes fituate

46 Mr. Tuttle frequently spoke to me much labor to find the authority Felt had relied on. — w.

about the statement in the Annals of Salem, by Joseph B. Felt, 1st ed. (1827), p. 232, that William Trask, son of Capt. William Trask, covenanted, April 15, 1668, with Robert Mason for a quitclaim fire Provincial Papers, Vol. II. pp.

⁴⁶ A second, and more perfect, deed from the Masons to Allen, dated April 27, 1691, is printed in the New Hampto his lands; but Mr. Tuttle failed after 535-540. - W.

52 Capt. Mason's Patent of Mariana.

fituate within the limits above mentioned," but Allen, &c., fhall hold and enjoy the fame in fuch manner as if these presents had not been made. Thus the validity of the Mariana Grant was amply recognized.

Mr. Allen brought fome fuits for lands in Maine and New Hampshire, but "Mariana" appears to have become obsolete; at least no titles resting on that patent have been discovered.⁴⁷

The curious reader will find, in the notes to Hubbard's New England, a to New Hamp/hire, original documents lucid statement of the course of these contests of Massachusetts; and in Chal-





CAPTAIN MASON'S PLANTATIONS ON THE PASCATAQUA.



N the preceding pages will be found a fatisfactory account of the efforts of Capt. Mason in colonizing New England previous to 1629, when the termination of the war with France gave him more time to attend to his private affairs.

From that time we have fuller details of what was done in planting New Hampshire. Mason now took a more active part in colonizing his domains in the New World.

Capt. Mason and Sir Ferdinando Gorges were interested in the Canada Company,48 which undertook the conquest of Canada as an authorized private enterprise. The company had at its head Sir William Alexander. Mr. John S. Jenness, in the second edition of his "Isles of Shoals," gives

48 For further accounts of the Canada Company and its doings, vide The First English Conquest of Canada, by Henry Kirke, London, 1871, pp. 62-93;

ter, Boston, Prince Society, 1873, pp. 61-63, 84, 85; Indenture of David Thomson and Others, by Charles Deane, LL.D., in the Proceedings of Parkman's Pioneers of France in the Massachuletts Historical Society, New World, pp. 401-411; Sir Wil-Vol. XIV. pp. 376, 377; Isles of liam Alexander and American Colonisation, by the Rev. Edmund F. Slaf-New York, 1875, p. 58.

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the following account of the expedition and fome of its refults:—

Setting out with a strong naval force, under the command of Sir David Kirke, it succeeded in capturing Quebec and bringing the whole French territory into subjection. Loaded with booty and bringing Champlain 49 himself as a prisoner, the expedition returned triumphantly to England, November 6, 1629, only to learn that peace had been for several months restored, and that by the articles of the treaty all the hard-won conquests in the New World were to be restored to France.

Among the most stirring members of this now fadly bassled Canada Company, was one Thomas Eyre, a London merchant, who acted as its accountant and treasurer. Thomas Warnerton, a notary public and merchant of London, George Grissith, another London merchant, as well as Capt. John Mason and Sir Ferdinando Gorges, seem to have been interested in the Canada Company, and must have been chagrined at its disastrous issue.

These men now inquired after some shorter and easier way of reaching the sur country than by the river of Canada, and one which might be used by the English without infringement of the late treaty. Capt. John Smith had written that in his exploration of the New England coast in 1614, he sailed up the river "40 miles, and crosed the mouths of many, whose heads, the inhabitants report, are great lakes, where they kill their beaver, inhabited with many people that trade with them of New England and those of Canada." The interior of the country had not as yet been explored, and little

ord Off. London. — Foot-note appended by Jenness to the matter quoted.

sa Smith's letter to Bacon. — Footnote by Jenness.

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Wide Memoir of Champlain, by the Rev. Edmund F. Slafter, prefixed to the Voyages of Champlain, translated by Charles P. Otis, Ph. D., in three volumes, iffued, 1880, by the Prince Society.

⁵⁰ Admiralty Court Book, Vol. CCLXXI. fub an. 1633, Public Rec-

orders in the Court of Admiralty relating to the affairs of the Canada Company. — Foot-note by Jenness.

or nothing was known of it by the English except from the rude maps of the Dutch and French, chiefly those of L'Escarbot and Champlain. An inspection of these charts corroborated the statements of Smith. On these maps the Iroquois Lake, now Lake Champlain, which, by the recent capture of Quebec, was now known to be one of the richest trapping-grounds of New France, was laid down close in the rear of New Hampshire, and the Pascataqua river took its source near its banks, if not directly from the lake itself, thus affording easy access to the Iroquois beaver country, at an immense saving of distance and expense.⁵⁸

As before stated. Mason obtained from the Council for New England the grant of New Hampshire, November 7, 1629, and Gorges and Mason that of Laconia, ten days later, November 17.54 The first was only one day, and the latter eleven days, after the return of the captors of Quebec. The New Hampshire grant included all the land lying between the Merrimac and Pascataqua 55 rivers, and three miles beyond their fources. The Laconia grant conveyed all the lands bordering upon the lakes or rivers commonly called the River and Lake, or Rivers and Lakes, of the Iroquois, and extending on the fouth and on the east ten miles from the faid rivers and lakes, on the west half-way to the next great lake, and on the north to the north fide of the main river which runs from "the great and vast westerne lakes" and falls into the river of Canada. The grantees were also given

by the Rev. Alonzo H. Quint, D.D., in The First Church of Dover, N. H. (1884), p. 13. See also, for remarks on the meaning of the word, The First Planting of New Hampshire, by John S. Jenness (1878), pp. 55-57.

Wide Isles of Shoals, by John S. Jenness, 2d ed., pp. 60-62.

Both documents are printed in this volume. Vide CHARTERS, post, November 7, and November 17, 1629.

[&]quot;'Pascataqua,' — one water parting into three," is the definition given

given the right to felect one thousand acres on the sea-coast in any of the ports, harbors, or creeks where the same was not then disposed of to other persons. The language of the patent feems to imply that an affociation was to be, or had been, formed for utilizing this grant. To the clause conveying the lands to Gorges and Mason and their heirs and affigns, is added, "or their affociates and fuch as they shall alow of and take in to adventure and joyne with them in their plantations, trafiques, and discouveryes." 56 affociation was formed, and was called the Laconia Company. It confifted, befides Gorges and Mason, of seven London merchants, Thomas Eyre, George Griffith, and Thomas Warnerton, before named, John Cotton, Henry Gardner, Edwin Guy, and Eliezer Eyre. "The scheme of these patentees," says Jenness, "is apparent from the grant itself. It was to send over cargoes of Indian truck-goods to the Pascataqua, and unlade them at the factories near the mouth of the river, and thence transport them in boats or canoes up the Pascatagua to Lake Champlain, to be bartered there for peltries for exportation from the factories to Europe. For the better accommodation of this traffic," he adds, "the company were authorized to take up one thoufand acres of land on the fide of the Pascatagua river, as a fite for their factory; but they feem not to have availed themselves of this privilege, the territory at the mouth of the river being acquired by the adventurers under a fubsequent patent." 57 The

56 In quotations in the text from themselves in full, the contractions are ancient documents contractions have retained.

Vide Isles of Shoals, by John S.

been spelled out. But in all cases in which the documents are given by Jenness, 2d ed., pp. 62, 63.

The next spring after the Laconia Patent was granted, the company sent to the Pascataqua river the bark Warwick, belonging to George Griffith and Company. Griffith was one of the Laconia partners. The vessel was of about eighty tons burthen, with ten pieces of ordnance. The commander of it was Capt. Wetherell. The bark sailed from the Downs about the 27th of March, 1630, but put into Plymouth harbor before leaving the English coast, and was there on the 8th of April. She arrived at her destination not far from the 1st of June. In her came Capt. Walter Neale as governor, and Ambrose Gibbons as factor.

Capt. Neale, the leader of this enterprife, was a foldier by profession, and seems to have entered the army about the year 1617. In February, 1628-9, he petitioned the Council of War for the settlement of his claims. He states in his petition that he had "been an officer in his Majesty's service sive yeares, both in the expedition with Count Mannsfelt and in several expeditions since." He had also "served in the Isle of Rhe, many weeks a voluntary without receiving any pay." His claim was referred to Capt. Mason for adjustment. Whether Mason and Neale were acquainted before

61 New Hampshire Documents, by John S. Jenness, p. 3.

ss Capt. Wetherell was a fon of the master of one of the cattle ships in Winthrop's fleet which was left at Southampton. Vide History of New England, by John Winthrop, edited by James Savage, Vol. I. p. 7 (2d ed., p. 9).

50 Thomas Eyre, writing from London, acknowledges the receipt of a letter

Thomas Eyre, writing from London, acknowledges the receipt of a letter dated at Plymouth, April 8, 1630, from Ambrose Gibbons, who was then on board the Warwick, on her voyage to New England. Vide New Hampshire Provincial Papers, Vol. I. p. 61.

⁶⁰ Peticoner hath liued a foulder these twenty years. — Petition, 1637, in Transcripts of Original Documents in the English Archives relating to the Early History of the State of New Hampshire. Edited by John Scribner Jenness, New York, 1876, p. 33. Petitioner hath been a soldier these thirteene years, and hath never held any other profession but his sworde. — Petition, February 26, 1628–9, in the same book, p. 2.

this I do not know: but in less than a year the latter was engaged by the former to take charge of this New England enterprise. It was probably in this year, before his engagement to Mason, or in 1633, after his return to England, that he petitioned the king to be made Marshal of Virginia.

When Capt. Neale arrived on the Pascatagua, there was standing on that river a stone house built by David Thomfon, who as agent and partner of fome Plymouth merchants had, in 1623, established a plantation there. In this house Neale and his companions took up their refidence.⁶⁴ Probably fome arrangement had been made with the owners of this house before the Warwick left England, or with their agents after the arrival of the vessel, either to purchase the house or hire it. It is possible, however, that when the company arrived, the house had been abandoned, and they, finding it unoccupied, may have taken possession of it. The Council of New Hampshire in their address to the king. May 31, 1681, affert that this house was hired. 65 If so, the indications are that it afterwards in some way became the property of the Laconia Company or of Mason.66 There were probably other buildings there besides the house.

The

in a house in the Little harbour of Piscatagua which by common Report was formerly built by some Merchants &c. of Plymouth in Éngland." Vide New Hampshire Documents, by John S. Jenneis, p. 63.

66 Vide New Hampshire Documents,

by John S. Jenness, p. 100.

Jenness, in his Isles of Shoals, p. 64, suggests that an arrangement may have been made with Thomson's heirs. That the families of the Plymouth merchants were not aware that their interest

⁶² Vide, for this petition, New Hampfhire Documents, by John S. Jenness, p. 7. The date "ab August 1631," conjecturally affigned to it by the perfon who arranged the Colonial State Papers, I think must be wrong, as Neale at that time was in New England acting as the agent of Mason and his affociates.

⁶⁸ Vide note 16, ante, p. 17.

⁴ William Seavy, who came to New England in 1632 on a fishing voyage, deposed in 1676 that Capt. Neale "lived

The plantation where they feated themselves was "on the west side of Pascataqua river, near the mouth of the westerly branch, which they called Little Harbor," and which is now in the town of Rye, New Hampshire. The site of this house was "on a peninsula, or point of land, now called Odiorne's Point, which is formed by Little Harbor on the north-east, and a creek on the south, with a large tract of salt marsh on the west. This place was selected with great judgment. The peninsula contains about five hundred acres of land, on which is a commanding eminence, where are evident remains of an ancient sort, situated so as to be a complete defence against the incursions of a savage enemy. The house was erected a few rods to the northward of the fort."

Jenness, in his "First Planting of New Hampshire," expresses the opinion that though Thomson had with his family made a settlement on Thomson's Island, in Massachusetts bay, in 1626, he continued to superintend the business on the Pascataqua till the expiration of the term of copartnership with the Plymouth merchants in November, 1627. That there was a plantation there in 1628 is evident.

had been transferred to Mason and his affociates is rendered probable by the information given to the Rev. Dr. Increase Mather in March, 1692, when he was at Plymouth, England, by the Rev. Mr. Sherwell, a minister in that vicinity, who was a grandson of one of Thomson's partners. Mr. Sherwell stated that his grandsather and others "had a patent for that which Mr. Mason pretended to at Piscataqua." Vide letter of the Rev. Dr. Cotton Mather

in the New England Historical and Genealogical Register, Vol. XVI. p.

351.
⁶⁷ Annals of Portsmouth, by Nathaniel Adams, 1825, p. 10.

Notes on the First Planting of New Hampshire and on the Picataqua Patents, by John S. Jenness, Portfmouth, 1878, p. 10. Mr. Jenness, on page 7 of this work, gives a description of the house at Little Harbor as indicated by its remains.

evident, for "Pascataquack" was affested in that year to defray the expense of fending Thomas Morton to England. It is probable that there was still a settlement there when Neale arrived in 1630 to become governor of the plantation.

Neale was instructed, on his coming to these shores, to make an early attempt to discover a route to the lakes in the Iroquois country, where the Laconia Patent was located. In 1630, foon after his arrival in New England, he wrote home that he would make this attempt in September of that year, but some cause prevented him from doing so. The trade with the natives, and probably to some extent the cultivation of the ground, was profecuted, however, under Neale and the company's faithful factor, Ambrose Gibbons.

Thomas Eyre was "Clarke and Accountant" of the Laconia Company, and feems to have fuperintended its business in England. Perhaps he was the treasurer, as he had been of the Canada Company. He was an active man, and, June 21, 1632, was chosen secretary of the Council for New England. The same year that the Warwick lest England for these shores, another vessel, the Pied Cow, was despatched for the Pascataqua.⁷² Both vessels returned to England, and were getting ready the next year to fail again for the plantation, the former as early as June 7, and the latter November 17, 1631.78

^{**} Collections of the Massachusetts Historical Society, Vol. III. p. 63.

**O Vide LETTERS, post, May 31, 1631.

**11 Vide N. E. Hist. and Geneal. Reg-

ister, Vol. VIII. p. 142; Calendar of Colonial State Papers, Vol. I. p. 153. 12 Vide LETTERS, post, May 31, 1631.

⁷⁸ William Stephenson was master of the Pied Cow on her second voyage, and John Raymond was the purfer. The invoice of goods shipped in this vessel, November 17, 1631, is printed in New Hampshire Provincial Papers, Vol. I. pp. 63-65.

The Warwick, of which John Dunton was master and Henry Fleet factor, left the Downs July 4, 1631, and arrived on the 9th of September in the harbor of Pascataqua. Here she landed her passengers and the goods intended for this place.

In the Warwick came "a factor to take care of the trade goods, and also a soldier for discovrie." The name of neither is given by Mr. Eyre, whose letter I quote, but I presume that the soldier was Capt. Thomas Cammock. George Vaughan, whom Savage had some reason for believing arrived in September, 1631, may have been the factor. In this year Humphrey Chadbourne and Edward Colcord also are said to have arrived. They also may have come in the Warwick. When Colcord first arrived he found but three houses in all that side of the country adjoining unto Pascataqua river. Chadbourne was one of "the chiefest" of the "artisicers" sent over to the plantation; and he built the Great House as it used to be called at Strawberry

76 Vaughan remained in New England till 1634, when he returned. He was in Boston, August 20, waiting for a fair wind to sail. On the 10th of April, 1636, he wrote to Gibbons from London, stating that the ship put into a port in Ireland, and he being sick was lest there. He did not arrive in London till December, 1635, after the death of Mason. Vide New Hampshire Provincial Papers, Vol. I. pp. 95, 97.

vincial Papers, Vol. I. pp. 95, 97.

Vide Genealogical Distinuary, by James Savage, Vol. IV. p. 368.

Statement of the Hon. William Willis in New England Historical and Genealogical Register. Vol. II. p. 201.

Genealogical Register, Vol. II. p. 204.

Hubbard's New England, p. 219.

⁷⁴ Vide LETTERS, poft, May 31, 1631.
16 Capt. Thomas Cammock was a nephew of Robert Rich, the first Earl of Warwick of the name, and a cousin to Robert Rich, the fecond Earl, who succeeded to the title in 1618, and was president of the Council for New England. Cammock received a grant of Black Point, now Scarborough, Maine, and removed there. He died in 1643, while on a visit to Barbadoes. Vide biographical notice in George Cleeve of Casco Bay, by James P. Baxter, Gorges Society (1885), pp. 36-38; and Trelawney Papers, edited by J. P. Baxter, Maine Historical Society Collections, 2d Series, Vol. III. (1884), p. 2.

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Bank."⁸⁰ Adams, in his "Annals of Portsmouth,"⁸¹ gives the location of this house as near the corner of Water and Pitt streets in that city. This was the "Mason Hall," mentioned in the "Statement of the Title of Robert Mason," ⁸² and elsewhere. Capt. Mason in his will calls his plantation, which he terms a "manor," by this name. ⁸³

Mr. Fleet, the factor of the Warwick, had a commission from the owners to be absent one year for "trade and discovery." After a short stay at Pascataqua, the bark sailed on Monday, September 19, for Virginia, where she came to anchor on the 21st of October. The name of the port is not given. Fleet gives no name but Virginia. Perhaps it was Jamestown. Thence they sailed for the river Potomac, and arrived at a town near the mouth of that river, called Yowaccomoco.⁸⁴ Making all the haste practicable, Fleet took into the bark her lading of Indian corn, and on the 6th of December the vessel weighed anchor and sailed directly for New England; but by a storm, was forced to put into the James river. Here they replenished their provisions, and set fail from Point Comfort, Tuesday, January 10, 1631-2, and on the 7th of February arrived at Pascatagua, where they delivered feven hundred bushels of corn. On their return to Virginia they stopped at the Isles of Shoals and at Boston to obtain provisions and goods to trade with the

⁹⁰ Hubbard's New England, p. 219. 11 Annals of Portsmouth, by Nathaniel Adams, p. 19.

⁸³ New Hamphire Documents, by John S. Jenness, p. 77. Hubbard in his History of New England, p. 214, says that the house at Little Harbor was

[&]quot;Mason Hall." See also First Planting of New Hampshire, by John S. Jenness, p. 7.

⁸⁸ Vide MASON'S WILL, poft.
84 Afterwards the fite of St. Mary, the old capital of the province of Maryland. — Foot-note by Neill.

the Indians. They failed from Pascataqua on the 6th of March for the Isles of Shoals, where they remained till the 11th, and then left for Massachusetts bay, arriving at Nantasket the 14th, and at Winnesimmet on the 19th. Here they remained till the 6th of April, on which day the Warwick sailed for Virginia accompanied by a pinnace belonging to Samuel Maverick of Winnesimmet. The same of the same of

According to the testimony of Henry Josselyn, Capt. Walter Neale was made, by the Council of Plymouth in 1631, governor of all New England which had not been granted to others, from the eastern end of the Massachusetts Patent to the Santa Croix. Other facts support this statement.

Though the expectations of the Laconia partners had not been realized by the discovery of an easy route to the fur country of the Iroquois, they do not appear to have been discouraged from prosecuting their enterprise. On the 4th of November, 1631, they received from the Council for

bark Warwick see English Colonization in America, by the Rev. E. D. Neill (1871), pp. 219-237; an article by Mr. William B. Trask in the New England Historical and Genealogical Register, Vol. XXI. pp. 223, 224; and a note by Charles Deane, LL.D., in the Proceedings of the Massachusetts Historical

sings of the Massachusetts Historical Society, Vol. XIV. p. 380.

A Brief Journal of a Voyage made in the Bark Warwick to Virginia and other Parts of the Continent of America, by her factor, Henry Fleet, is preferved among the MSS. in the Lambeth Library. In 1664 this MS. belonged to William Griffith, A.M., who was probably the son of one of the owners of the

Warwick. The Journal is printed in full from this manuscript by Mr. Neill in Facility Colonization in America

in English Colonisation in America.

Samuel Maverick, of Winnessmet, afterwards of Noddle's Island, and one of the king's commissioners, wrote a Description of New England, which was published in the New England Historical and Genealogical Register, January, 1885.

uary, 1885.

** English Colonization in America,
by the Rev. E. D. Neill, pp. 221-223;
History of New England, by John Winthrop, ed. by James Savage, Vol. I. pp.
71, 72 (2d ed., pp. 86, 87).

New Hampshire Documents, by John S. Jenness, p. 75.

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for New England a patent of land on both fides of the Pascataqua, and also of the Isles of Shoals and the fishings thereabouts. The patent is entitled "Grant and Confirmation of Pescataway to Sir Ferdinando Gorges and Capt. Mason and others." Besides Gorges and Mason, Cotton. Gardner, Griffith, Guy, Warnerton, and the two Eyres are named in the patent. The partners do not feem to have recognized any right of Thomson or his associates in the house or lands at Little Harbor; for the patent which they obtained confirms to the grantees a title to the "house and chief habitation ... wherein Capt. Walter Neale and the Colony with him now doth or lately did refide, togeather with the Gardens and Corne ground occupied and planted by the faid Colonie and the Salt-workes already begun." The patent recites, among the fervices already performed by the Laconia partners, the making of clapboards and pipestaves, making of falt-pans and falt, transporting of vines for making wine and fearching for iron ore. there stated that the partners had spent upwards of three thousand pounds in the enterprise.89

In the spring of 1632 the company "chartered from Matthew Cradock and others a pinnace of one hundred tons, named the Lyon's Whelp of London, John Gibbs, master, for a sishing voyage to the Isles of Shoals, thence to Bilboa, etc., and back to London. By the charter party she was to sail from London in season to reach the Shoals before April 30; or if she arrived later in the season then she was to proceed at once to Newsoundland, and procure there

80 Vide CHARTERS, post, November 4, 1631.

there a fare of fish. By reason of the unseaworthiness of the vessel, she did not arrive at the Pascataqua until after the end of April, and the fishing season was over; and failed to proceed to Newsoundland as directed in such case by the charter party, but returned to London in the fall with heavy loss to all concerned in the adventure." ²⁰

That fishing was for some years profitably carried on by the partners at the Isles of Shoals, which were within their patent, there is reason to believe, and they may also have derived no inconsiderable revenue from licenses for ships coming to those islands to fish.⁹¹

In the spring of 1632 another vessel was sent by the company to Pascataqua. The name of the ship was the *John*; and the invoice of trade goods in her, which is preserved, is dated April 18, 1632.⁹²

The plantation at Strawberry Bank, where Chadbourne built the "Great House" before referred to, was probably begun in this or the previous year, and that at Newichwannock se as early or earlier. The latter plantation was on the little Newichwannock river, a branch of the Pascataqua, some fifteen miles from its mouth. It was afterward a part of Kittery, Maine, and is now in the town of South Berwick. The trade in beaver was probably carried on at both plantations.

Register, Vol. VIII. pp. 142, 143.

Vide An Old Planter in New England, by Charles L. Woodbury (1885), pp. 8, 18.

pp. 66, 67. Law-fuits between the partners followed. Vide Mr. Jenness's Appendix, pp. 185-189, and the New England Historical and Genealogical Register, Vol. VIII pp. 142-142

⁹² This invoice is printed in N. H. Provincial Papers, Vol. I. p. 66, 67.

^{**} The pronunciation of this name two centuries ago appears to have been Ne-ge-won-nock. Capt. Danforth, an eminent surveyor, wrote it Negewon-nick in 1679. — Note by John Farmer to his edition of Belknap's New Hamp-shire (1831), p. 10.

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tions. Gibbons, in the year 1633, writes from Newichwannock that he had sometimes one hundred or more Indians at
his plantation. But the reason of the selection of Newichwannock as the site of a plantation was probably its falls
and other facilities for lumbering. A faw-mill was erected
here in 1634, and the manufacture of lumber was carried
on extensively during the lifetime of Mason and for a long
period afterwards. Within a few years houses were also
built on Great Island opposite Little Harbor, and a fort was
erected there.

The land was cultivated at all the plantations, but the products feem to have been used by the settlers for their own subsistence, as we hear of no exportation. The culture of vines was attempted, but this does not appear to have been a success.

Stock-raising was an important employment. Capt. Mafon took much interest in this venture, and individually engaged in it. He imported from Denmark a very sine breed, being "very large beasts of a yellowish color." Francis Small, in his deposition, September 8, 1685, stated that he verily believed that, from the cattle sent thither by Capt. Mason, most of the cattle then in the provinces of New Hampshire and Maine had been raised, for he did not remember or hear of any other person bringing over any. Cattle, however, were largely imported into the Massachusetts Colony; but though we know that some were early carried

Vide LETTERS, post, July 13, 1633. 6, 1685, in New Hampshire Provincial
For this statement the reader is referred to the depositions of Nathaniel
Boulter and John Redman, November

68 New Hampshire Provincial Papers, Vol. I. p. 45.

carried from the Pascataqua to Boston, it is possible that but few found their way from Massachusetts to New Hampshire and Maine.

The manufacture of potash was also carried on here, 97 but to what extent I do not know. Their principal fource of profit was probably, however, the trade in beaver and other furs, which no doubt had been confiderable from the time when Thomson established himself here. The letters and inventories preserved show the importance of this trade. Fishing had been largely carried on for many years on all the northern shores of New England. Little Harbor was well fituated for this occupation, which must have been carried on there to some extent, though the principal fishing stages of the company were at the Isles of Shoals. Salt was needed to cure the fish, and as has been seen, its manufacture was early commenced here. Hubbard fays it was made here before the arrival of Capt. Neale; but the patent of 1631, above quoted, speaks of the salt-works as only "begun" at that time. Winthrop, under date of June 25 of this year, makes this entry in his journal: "There came a shallop from Pascataqua, which brought news of a fmall English ship come hither with provisions and some Frenchmen to make falt." 98 I find no other reference to Frenchmen as colonists there. Possibly they may have been the eight Danes 49 which Mason sent to the colony, and who, fpeaking a foreign language, may have been mistaken for Frenchmen.

^{**} N. H. Prov'l Papers, Vol. I. p. 45.
** History of New England, by John Winthrop, edited by James Savage, Vol. I. p. 57 (2d ed., p. 68).

New England Historical and Genealogical Register, Vol. II. p. 39. Annals of Portsmouth, by N. Adams, 1825, p. 19.

Frenchmen. But according to the deposition of Francis Small, the Danes were sent here to build mills for sawing timber, and to tend them, and to make potash.¹⁰⁰

Small, in his deposition just quoted, states that the first faw-mill and the first corn-mill in New England were "erected at Capt. Mason's plantation, Newichwannock." 101 It is probable that there were no mills there before 1634, when Mason sent a saw-mill and a corn-mill in the Pied Cow. Possibly Small's statement may be true as to the sawmill; but it is evidently wrong as to the corn-mill, for Winthrop, under the date of October 18, 1632, has this entry: "Capt. Camock, and one Mr. Godfry, a merchant, came from Pascataquack in Capt. Neal his pinnace, and brought fixteen hogsheads of corn to the mill." 102 Evidently there was then no corn-mill at Newichwannock. The windmill at Newtown, now Cambridge, which was removed to Boston in August, 1632, 108 seems to have been the first corn-mill in New England. The first in Plymouth Colony was not erected till 1633, when Stephen Deane fet up one.104

While attending to the material interests of the plantations, the company did not neglect to provide for their spiritual necessities. That religious services were held there, is evident from the inventories preserved. In one of them is mentioned one great Bible, twelve service books, one pewter slagon, one communion cup, two table-cloths, and two napkins, "for religious use." 106

¹⁰⁰ New Hampshire Provincial Papers, Vol. I. p. 45.
101 Ibid.

¹⁰² Hiftory of New England, by John Winthrop, ed. by James Savage, Vol. I. p. 91 (2d ed., pp. 107, 108).

¹⁰⁸ Ibid., Vol. I. p. 87 (2d ed., p. 104). 104 Vide New England Historical and Genealogical Register, Vol. III. p. 378; Plymouth Colony Records, Vol. I. pp. 8, 22. 105 Vide LETTERS, post, July, 1635.

It could not have been later than 1632 that the contest between Neale and Thomas Wiggin, narrated by Hubbard. took place. Capt. Wiggin was employed "to begin a plantation higher up the river for some of Shrewsbury," and "being forbidden by him, the faid Neale, to come upon a point of land that lieth in the midway betwixt Dover and Exeter, Capt. Wiggin intended to have defended his right by the fword, but it feems both the litigants had fo much wit in their anger as to waive the battle, each accounting himself to have done very manfully in what was threatened; fo as in respect, not of what they did, but what might have fallen out, the place to this day retains the formidable name of Bloody Point." 106 Jenness thinks this event occurred after the arrival of the patent of the Laconia partners, granted in November, 1631; and that the title that Capt. Wiggin defended was that of Massachusetts Bay, under the great Charter of 1628-9, there being no evidence that he had an interest in the Hilton Patent till 1632.107 Hubbard, the only authority on the subject, says, however, that Wiggin was acting for the Shrewfbury men. 108

Capt. Neale had been in this country less than a year and a half when the Laconia partners became dissatisfied with the results of the adventure. This is evident from their letter, December 5, 1632, to Ambrose Gibbons. They state that they had written to Capt. Neale to "dismiss the household," but that "such as will or canne live of themselves may stay upon our plantation in such convenient place" as Capt.

Neale,

108 History of New England, by William Hubbard, p. 217.

107 Vide First Planting of New Hamp-shire, by John S. Jennels, pp. 40, 41.

108 Vide note 21, ante, p. 24.

Captain Mason's Plantations 70

Neale, Mr. Godfrey, and Gibbons might think fit, promifing that a reasonable quantity of land should be granted to them by deed. The diffatisfaction arose from the "ill dealing" of John Gibbs in his fishing voyage, 109 of which an account has been given, and the fmall returns from Capt. Neale, Mr. Herbert, and their factors. With the management of the plantation of Newichwannock they feem better pleafed; and Gibbons was requested to take care of the house there. to look well to the vines and take fome of the fwine and goats. To Edward Godfrey, who had been employed by Gorges in Maine, was committed the care of the house at Pascatagua, and Thomas Warnerton was to take charge of the house at Strawberry Bank. 110 The letter was not received by Gibbons till June 30, 1633. Capt. Neale, whose instructions probably arrived at the same time as the letter to Gibbons, was expected, the letter states, to return to England to confer with the partners that they might "fettle things in a better order." 111

After three years' refidence in New England, Capt. Neale left the plantations on the Pascataqua river on the morning of July 15, 1633. He probably visited other settlements before reaching Boston, where he was to embark for his native country. He arrived in Boston in the early part of August; but owing to the cool reception he met with on his former visit, and the fact that some of his letters to England which had been fent by the way of Boston had been opened by

fuccess of Gibbs, says: "A Londoner 1633.

100 Gibbs, says: "A Londoner 1633.

110 Vide LETTERS, post, Dec. 5, 1632. amity betwixt the West cuntrimen and

109 Gibbons, in explanation of the ill them." Vide LETTERS, poft, July 13,

III Ibid.

by the authorities there, he did not call upon the Governor, and wrote him on the 13th explaining why he did not call.¹¹² He embarked, with eight of his company, in the *Elizabeth Bonaventure*, Capt. Thomas Graves, which had arrived on the 15th of June, from Weymouth, England, and was now returning home.¹¹⁸ The day that the veffel failed is fupposed by the Hon. James Savage, the editor of Winthrop's New England, to have been the 15th of August,¹¹⁴ as William

Winthrop in his *History of New England*, edited by James Savage, Vol. I. p. 107 (2d ed., p. 127).

John Winthrop, edited by James Savage, Vol. I. p. 104 (2d ed., p. 124).

114 After his return home, in 1633, Capt. Neale's name was presented by Charles I. to the authorities of the city of London for the office of Captain of the Artillery Company, in place of Capt. Nathaniel Fisher, who had died that year. On the 12th of December, 1633, his Majesty's letter was read at the Court of Aldermen, and it was ordered that Alderman Fen, prefident of the Artillery Company, communicate the letter to the company, fo that Capt. Neale "might be admitted in obedience to his Majesty's commands." He held the office at least till 1637, when he petitioned the king for the office of Muster Master of the City of London. He had before applied for the place, but the king "was not then pleafed to thinke it necessary to appoint any such officer." This petition is printed by John S. Jenness in his New Hampshire Documents, pp. 1, 2, from the English State Papers, Domestic Series, Vol. LXXXIV. No. 42; but the date conjecturally affigned, 1615, is erroneous, as is evident from the facts given in Capt. George Alfred Raikes's History of the Honora-

ble Artillery Company, pp. 107, 108. Neale was not successful in his application; for on the 18th of December, 1637, Capt. John Fisher was appointed to the place. About the same time that he applied for the position of Muster Master, he petitioned the king to be governor of New England. This petition is also printed by Jenness. See New Hampshire Documents, pp. 33, 34. Col. Joseph Lemuel Chester, in a note to Mr. Tuttle, September 7, 1877, mentions a letter of Walter Neale, dated at Portsmouth, July 13, 1639, but he does not state where the original is to be found. It relates to the landing or transportation of three hundred Spanish foldiers. "His fignature," fays Col. Chefter, "is unmistakably that of the one whose facsimile you fend me, and the arms on the feal are: three greyhound's heads erased, collared, and These arms are those of Neale of Leicestershire and Northamptonshire; but I do not find a Walter Neale on the pedigrees of either county." The later history of Neale is unknown to me. The king's nomination of Neale as Captain of the Artillery Garden is printed in full by John S. Jenness, in New Hampshire Documents, pp. 19, 20. See also History of the Artillery Company, by Capt. G. A. Raikes (1878), pp. 80, 92, for facts relating to this matter.

William Wood, the author of "New England's Prospect," according to his own statement, sailed that day from Boston, 115 and, though possible, it is not probable that another vessel sailed from this port so near this time without being mentioned by Winthrop. If Wood sailed in Capt. Graves's ship, and if, as Charles E. Banks, M.D., conjectures (an opinion generally concurred in), Capt. Neale wrote the "True Relation concerning the Estate of New England," printed in the "New England Historical and Genealogical Register" for January, 1886, 116 then two passengers in this vessel, one a Puritan and the other a Churchman, wrote accounts of New England.

A principal object of the company, as has been stated, was the discovery of a direct communication with Lake Champlain, for opening trade with which region the Laconia Patent of land on that lake was procured. It was supposed by them that the Pascataqua surnished a route to the country of the Iroquois which would give them the trade in beaver and other surs now monopolized by the Dutch on Hudson river and the French in Canada. Capt. Neale did not make the attempt to discover this route the first year, as it was expected he would do. Attempts, however, were made by him during his stay in this country.

The

William Wood, Prince Society's ed., pp. ix, 49.

116 Vide New England Historical

116 Vide New England Historical and Genealogical Register, Vol. XL. (1886), pp. 66-73.

117 LETTERS, poft, May 31, 1631.
118 In his History of New Hampshire, p. 19, Dr. Jeremy Belknap states
that the discovery of the White Hills

was made in 1632 by Neale, Joffelyn, and Darby Field, while endeavoring to reach Laconia. He gives no authority for the statement, and I find no evidence in its favor. Joffelyn, though he did not arrive here as governor of Mafon's plantations till a year after Neale lest, may have been here before; but there are no indications that Field was here so early as 1632. The White Hills

The patent of November 3, 1631, recites that the agents of the grantees had even then "taken great pains and spent much time in the discovery of the country;" and in a petition to the king, in 1637, Neale states that while he was here he "made greater discoveries of the inland parts than was ever made by any before or fince;" and that he had "exactly discovered all the rivers and Harbors in the habitable part of that Country." 119

Ferdinando Gorges, Esq., also speaks of these discoveries, in his "Description of Laconia," in "America Painted to the Life." After describing the Lake of the Iroquois, that is, Lake Champlain, Gorges fays: "The way over land to this great lake from the Plantation of Pascataway hath been attempted by Capt. Walter Neale, once governor, at the charges of my grandfather, Capt. Mason, and some merchants of London, and the discovery wanted one day's journev of finishing, because their victuals were spent, which for want of horses they were enforced to carry with their armes and their clothes upon their backs. They intended to make a fettlement for trade by pinnaces upon the faid lake, which they reckon to be about 90 or 100 miles from the Plantation over land." 120

Hubbard gives this account of the expedition: "Another occasion

were probably visited by Neale in some of his expeditions; but Darby Field feems to have been the first person to reach their fummit. This he did in 1642. He was an Irishman, and was then living near Pascataqua, probably at Exeter. He was accompanied in his journey by two Indians. Vide History of New England, by John Winthrop, the preceding pages of the work quoted.

edited by James Savage, Vol. II. p. 67 (2d ed., p. 80); and Mr. Savage's note on Winthrop's entry.

119 New Hampshire Documents, by

J. S. Jennels, p. 33.

120 America Painted to the Life, by
F. Gorges, Elq., p. 48. A flattering account of the Laconia country is given in

74 Captain Mason's Plantations

occasion of their sending over was said to be searching or making a more sull discovery of an imaginary Province, supposed to lie up higher into the country, called Laconia. But after three years spent in labor and travel for that end, or other fruitless endeavors and expense of too much estate, they returned back to England with a 'non est inventa Provincia.'" 121

It feems that the company was not fatisfied with the difcoveries made by Neale in relation to the route to the lakes, and even after he had returned to England still entertained the hope of finding an easy passage there. Mason, writing to Gibbons, May 5, 1634, fays: "I have disbursed a great deal of money in the plantation, and never received one penny; but hope if there were once a discoverie of the lakes, that I should, in some reasonable time, be reimbursed againe." 122 To this Gibbons replies, August 6, 1634: "I perceive you have a great mynd for the lakes, and I as great a will to affift you. If I had two horses and three men with me, I would by God's helpe foone refolve you of the cituation of it, but not to live there myself." 128 It seems from Thomas Morton's book that Henry Josselyn, who arrived here in the fummer of 1634, to fucceed Capt. Neale, was expected to make another attempt.124

At the departure of Neale, the following account of the persons at each house is given by Gibbons. Warnerton, who had charge of the house at Pascataqua, had under him William Cooper, Ralph Gee, William Dermitt, Roger Knight,

121 History of New England, by William Hubbard, p. 216.
122 LETTERS, post, May 5, 1634.

128 Ibid., August 6, 1634.
 124 Morton's New English Canaan,
 Prince Society's ed. (1883), pp. 237, 238.

Knight, and his wife and one boy. Gibbons had with him his wife and child, and four men, namely, Charles Knill, Thomas Clarke, Stephen Kidder, and Thomas Crockett. An inventory of the goods at the feveral plantations was taken. This is printed in the "New Hampshire Provincial Papers." 126

A meeting of the Laconia Company was held in December, 1633, at which it was voted that the Pascatagua house, the house at Strawberry Bank, all the islands in the Pascataqua river, and all the land on the fouthwest side of that river which is mentioned in the patent, as also the Isles of Shoals, and the house at Newichwannock and the land thereunto belonging, shall remain in common till a division thereafter be made. The land on the northeast 127 side was divided among the partners: Gorges having the fouthern portion, beginning at the outermost point in the sea, where the patent begins, and extending up the river three miles; Gardner three and three-quarter miles from Gorges; and Griffith, Eliezer Eyre, and Warnerton the next eight miles, to within a quarter of a mile to the lowermost falls next to Newichwannock house. To Mason for himself and Cotton, whose right, as will be seen, he had purchased, was affigned a tract beginning "a quarter of a mile below the faid Lowermost fall and soe upward along Newichwannock River to the end of the Patent, which is estimated about fifteen and a quarter, being almost fower miles more than his

¹²⁵ Vide LETTERS, poft, July 13, 1633. Knill's name is fometimes spelled Neale, Kidder's name, Teddar, and Crockett's, Crockwood.

¹²⁶ Vol. I. pp. 74-80.
127 The record as printed in *New Hampshire Documents*, by J. S. Jenness, p. 18. reads "the northwest."

his proportion cometh unto. Yet it is allowed him in regard hee is foe far distant from the Sea and for conveniency of landing boats belowe the faid Falls." 128

A division of the swine "remaining in the generals" was also made, Mason receiving thirteen out of thirtyfive. 129

Soon after this the Laconia Company appears to have been dissolved,180 at least so far as regards joint action in maintaining the plantations. I presume that the affairs of the company were wound up as foon as practicable. Mason writes, the next spring, that he thinks that not many of the other members, befides Gorges and himfelf, will adventure that year; 1811 and I have found no evidence that any of the other partners after this expended money in fustaining the enterprise. Gibbons does not appear to have been favorably impressed with "the merchants," and in a letter to Mason, in 1634, says that he should be very cautious how he dealt with them. 182

Mason and Gorges seem now to have carried on their enterprises separately. The latter informed George Vaughan, in 1636, that before the death of Mason they had made a division of their rights, Gorges taking the land from the Pascataqua

128 In May, 1634, Gorges and Mason notified Gibbons of the partition, stating that, with the consent of their partners, they had made a division of all their lands lying on the northeast side of the river and harbor of Pascataqua. Vide LETTERS, post, May 5, 1634, Gorges and Mason to Gibbons.

129 See the record in full in New Hampshire Documents, by J. S. Jen-

ness, pp. 18, 19.

180 Henry Josselyn in his receipt, July 20, 1634, speaks of "the adventurers that were affotiated in the company of Laconia." Vide New Hampshire Provincial Papers, Vol. I. p. 94.

181 LETTERS, poft, May 5, 1634, Mafon to Gibbons.

189 LETTERS, poft, August 6, 1634, Gibbons to Majon.



Pascataqua to the Sagadahock, while that between the Merrimac and the Pascataqua was left to Mason. Gorges further faid that he was getting a patent from the king for his division, and that Mason, if he had lived, would have taken a patent for his part.¹²⁸

In May, 1634, Gorges and Mason sent out the Pied Cow again to New England. In it went people and provifion for the separate plantations, 184 Pascataqua and Agamen-Henry Iosselvn was fent out by Mason as steward or governor of his plantation; and with him went James Wall, William Chadbourn, and John Goddard, carpenters, with whom Mason had, on the 14th of March preceding, made a contract for five years, for them to build fawmills and houses for him at Newichwannock.¹⁸⁵ letter from Gorges and Mason, and an individual letter from Mason, both dated May 5, 1634, gave instructions as to the division of the household stuff, implements, and other movables, belonging to the company, left by Neale in the custody of Gibbons and Warnerton. Mason had bought the interests of the brothers John and William Cotton, so that he owned three shares, and Gorges one share, making together. as stated, one half of the property. Cattle, and other property

from the king, for Robert Mason could never produce a charter. If he had been able to do so, the right of government in New Hampshire would have been confirmed to him as that of Maine was to Gorges.

184 LETTERS, post, May 5, 1634, Mafon to Gibbons.

185 The contract will be printed in this volume. See LETTERS, post, March 14, 1633-4.

Letter of Vaughan to Gibbons, London, April 10, 1636, in New Hampfhire Provincial Papers, Vol. I. p. 98. It has been afferted and denied that Capt. Mason had his title confirmed by the king after the furrender of the charter of the New England Company. Belknap, in his History of New Hampfhire, Vol. I. pp. 25, 26, gives a summary of evidence on both sides. There is little probability that he received a grant

property there, are mentioned as the individual property of Mason. 186

The Pied Cow arrived, July 8, 1634, and on the 13th cast anchor at Newichwannock, about half a mile from the fall.187 Winthrop, on or after July 9, makes this entry: "Sir Ferdinando Gorges and Capt. Mason sent [blank] to Pascataquack and Aquamenticus, with two saw mills to be erected, in each place one." 188 Evidently Winthrop understood that a part of the supplies in the Pied Cow were for Gorges's colony of Agamenticus. Mason mentions two mills that are to be fet up on his own division by the people in this veffel; 189 and we learn from the deposition of James Wall, May 21, 1652, that, besides the saw-mill named by Winthrop, Wall and his partners above named fet up for Mason at Newichwannock a stamping-mill for corn. 140

The Pied Cow, after taking in "ore" from the shores of the Pascataqua, was ready by the 6th of August to fail for Saco, where she was to receive clapboards and pipe-staves as the remainder of her cargo for England.141

There were probably at this time many fettlers on the Pascatagua who had purchased 122 or hired land from the Laconia

186 LETTERS, post, May 5, 1634, Gorges and Mason to Warnerton and Gibbons, and Mason to Gibbons.

187 LETTERS, post, August 6, 1634, Gibbons to Mason.

188 History of New England, by John Winthrop, ed. by Savage, Vol. I. p. 137

(2d ed., p. 163).

189 LETTERS, poft, May 5, 1634, Mafon to Gibbons. The carpenters commenced fetting up the first mill July 22. See Gibbons's letter, Aug. 6, 1634, post.

140 The original deposition is pre-

ferved in the Massachusetts Archives, Book III. p. 444.

141 LETTERS, post, August 6, 1634, Gibbons to Mason.

142 Capt. Neale while in New England conveyed, as agent of the Laconia partners, to Capt. Thomas Cammock a tract of land on the east side of the Pascataqua; and Gorges and Mason confirmed this conveyance by a deed dated May 1, 1634, printed in the New England Historical and Genealogical Register, Vol. XXXII. pp. 53,

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Laconia Company. Mason and Gorges wished to encourage such settlements on their divisions, and state that besides shipping people to plant at their expense on their lands, they had given directions to invite, and authority to receive, "such others as may be had to be tenants, to plant and live there, for the more speedie peopling of the countrie." 148

Soon after the arrival of the *Pied Cow*, Gibbons left the employ of the adventurers, and before the close of August, had removed to Sanders Point, on the Pascataqua river, between Little Harbor and Sagamore Creek, where he received from the Laconia partners a grant of land for his fervices to the company. About this time Capt. Thomas Cammock, Thomas Warnerton, and Henry Josselyn, also stewards of the company, received proportionable grants on the other side of the river. Humphrey Chadbourne is said to have been the successor of Gibbons in the charge of the plantation at Newichwannock.

Henry Josselyn, who succeeded Capt. Neale as governor of these plantations, was a son of Sir Thomas Josselyn, Knight, of Kent, England, and a brother of John Josselyn, author of "Two Voyages to New England" and "New England Rarities." He was born about the year 1611. It is possible that he had made a previous visit to New England; for in 1631 he was either here or contemplated coming, being

54. References to other conveyances of land are found.

144 LETTERS, post, July 4, 1661.

New Hampshire Provincial Papers, Vol. I. pp. 69, 81, 95.

148 Annals of Portsmouth, by Nathaniel Adams, p. 19.

146 Vide his deposition in 1661, LETTERS, post, July 4, 1661.

¹⁴³ LETTERS, 100ft, May 5, 1634, Gorges and Mason to Warnerton and Gibbons.

being named in the Laconia charter as one of the persons to give possession to the grantees.¹⁴⁷

Little is known of Josselyn's management of the plantations, but it is probable that it was satisfactory to his principal, Capt. Mason, though he did not discover, what Mason so ardently hoped for, a route to the lakes. His opportunity for developing the resources of the plantations was, however, of short duration; for in a little over a year after his arrival at Pascataqua Capt. Mason died. This event occurred between the 26th of November, when Mason signed his will, and the 22d of December, when it was admitted to probate.

Though others were interested in the settlements whose history has been given, it is evident that Capt. Mason was the prime mover in the colonization of that region; and he is so spoken of by Winthrop and Hubbard, and in documents of the seventeenth century. Winthrop considered him the chief antagonist of the Massachusetts Colony, and saw the hand of God in the removal of him by death when his plans were most threatening. Before

147 Vide CHARTERS, post, November

3, 1631.

148 "One Capt. Mason of London, a man in favor at Court, and a professed enemy to us, had a plantation at Pascataquack; which he was at great charge about, and set up a saw-mill, but nothing prospered. He provided a ship, which should have been employed to have brought a general governour, or in some other design to our prejudice, but in launching of it her back was broken. He also employed Gardiner and Morton, and others, to prosecute against us at council table, and by a quo warranto,

etc., fo as Morton wrote divers letters to his friends here, infulting against us, and affuring them of our speedy ruin, etc. But the Lord disappointed them, and frustrated all their designs. As for this Mason, he fell sick and died soon after, and in his sickness he sent for the minister, and bewailed his enmity against us, and promised if he recovered to be as great a friend of New England as he had formerly been an enemy."—
History of New England, by John Winthrop, edited by James Savage, Vol. II. p. 12 (2d ed., p. 14). Vide also the same work, Vol. I. p. 187 (2d ed., p. 223).

Before Capt. Mason's death, the three plantations of Pascataqua, Strawberry Bank, and Newichwannock feem to have fallen under his control. Francis Small, in his depofition made September 8, 1685, states that he had lived in the country upwards of fifty years. He fays further:—

He very well knew the plantations Capt. Mason had caused to be made at Pifcattaway, Strawberry Bank and Newichwannock, and was well acquainted with the fervants imployed by Capt. Mason upon the faid plantations, some whereof are yet living; and that there was a great deal of stock at each of these plantations. And this deponent doth very well remember that Capt. Mason sent into this country eight Danes to build mills to faw timber, and tend them, and to make potashes; and that the first saw-mill and cornmill in New England was erected at Capt. Mason's plantation at Newichwannock, upwards of fifty years - where was also a large house with all conveniences of out-houses, and well fortified with ftore of arms. That about forty years fince the faid house and buildings were burnt to the ground. 149

In the "Title of Robert Majon to the Province of New Hampshire," 150 in reciting what his grandfather had done, it is stated that —

The faid John Mason did settle a considerable colony at Pascattaway River, and transported great store of cattle of all forts, with

149 New Hampshire Provincial Pa-

"expended twenty thousand pounds" on his colonial enterprises, says: "This would be equivalent to five times that fum to-day. It is not probable," Dr. Deane adds, "that he spent a fourth part of it, or that he ever had such a sum at his disposal." Though there may be fome exaggeration, and possibly confusion of places in the statements we quote, they have undoubtedly a basis of truth.

pers, Vol. I. p. 45.

150 This and other documents drawn up by or for Robert Mason contain fome manifest errors. Vide note by Charles Deane, LL.D., in the Proceedings of the Massachusetts Historical Society, Vol. XIV. p. 371. Dr. Deane, remarking on the statement, in another part of the document we quote, that Capt. John Mason before his death had

large quantities of Amunition and provisions, and did build many houses upon the great Island which lyeth at the entrance of the said River, upon which he erected a Fort and mounted it with tenn Guns 151 for the defence of the faid Island and River: and also within the faid River, at a place now called Portfmouth, he built diverse good houses wherof one was a very fair and large house of Stone and timber, and by him called Mason Hall, encompassed with a ditch and strong Pallisade and Fortified with eight Guns. Within the faid Fort was a large Magazine furnished with Arms and amunition and other necessaries for the defence and protection of the Inhabitants, and had improved aboue one thousand acres of meadow ground. Also, at Newichwannock the said John Mason built a large dwelling house and store house, and fenced them with a strong Pallisade and mounted with six Guns, and upon the falls of the River he erected Four Saw mills and fundry houses for his Tenants and Servants, 152

Additional testimony in support of the claim made by Capt. Mason's grandson, that the territory of New Hampshire was settled at the expense of Mason and his associates, has been preserved. This claim, however, was denied by many of the inhabitants, and evidence to the contrary was produced. The Council of New Hampshire, in their address to the king, May 31, 1681, say, in reply to Robert Mason:—

Wee

161 George Walton, of Great Island, who remembered the fort on that island very well, deposed, Dec. 18, 1685, that the fort was strong and substantially made, and that it was surnished with great guns, of which some were brass. Some of the guns were taken away by Richard and William Waldern. Vide New Hampshire Provincial Papers, Vol. I. p. 48.

J. S. Jenness, pp. 77, 78. See also p. 55 of same work.

188 For depositions and other documents in relation to what Capt. John Mason and his associates did towards the settlement of their grants, see New Hampshire Provincial Papers, Vol. I., and New Hampshire Documents, by John S. Jenness.

Wee are informed that he has no Authentique Originall or Duplycate of any grant for the foyle, nor hath he in any measure attended the scope of such Grant (if any such had been made to him), viz. the peopling of the place and enlarging your Majesty's Dominions, both which have been vigorously attended by the present Inhabitants. The vast expence of estate is mostly if not merely a pretence. An house was hired in this province, but the disbursements laid out were chiefly in the Neighboring Province of Meyn, on the other side of the River, and for carrying on an Indian Trade in Laconia, in all which his Grandsather was but a partner, however he would appear among us as sole proprietor.

The plantation of Newichwannock was in 1681, it is true, in the Province of Maine; but Old Harbor, Strawberry Bank, and Great Island were in New Hampshire. In the last-named plantations the reader of these pages has evidence that considerable money was expended. This, however, the Council may have intended to include in the phrase "carrying on an Indian Trade in Laconia."

A lift of the persons sent over to the plantations as stewards and servants is preserved, and was printed in 1848, in the "New England Historical and Genealogical Register." It will be reprinted in this volume. The names of ten stewards, one chirurgeon, and thirty-nine servants are given. The list also gives eight Danes, and twenty-two women whose names are not given. I have appended to it the names of eight persons who were employed at these plantations by Mason or the adventurers.

The enterprise of Mason and his associates had been an encouragement to others, to whom their plantations were a protection

154 Vide LETTERS, poft, July, 1635.

84 Captain Mason's Plantations

protection and aid. Before his death it had refulted in planting confiderable fettlements on the Pascataqua, though financially the partners themselves had reaped little benefit from their labors. Belknap, in the following extract from his "History of New Hampshire," pays a just tribute to their memory, and accounts for their want of success:—

Though Mason and Gorges had not the same religious views with the Massachusetts planters, yet their memory deserves respect. They were both heartily engaged in the settlement of the country; they sunk their estates in the undertaking, and reaped no profit to themselves; yet their enterprising spirit excited emulation in others, who had the advantage of improving their plans and avoiding their mistakes. Gorges accounted for the ill success of his adventures in the following manner.

- 1. He began when there was no hope of anything for the prefent but loss, as he had first to seek a place, which, being found, was a wilderness; and so gloomy was the prospect that he could scarce procure any to go, much less to reside in it; and those whom he at length sent, could not subsist but on the provisions with which he supplied them.
- 2. He fought not barely his own profit, but the thorough discovery of the country; wherein he went so far, with the help of his affociates, as to open the way for others to make their gain.
- 3. He never went in person to oversee the people whom he employed.
- 4. There was no fettled government to punish offenders or misspenders of their master's goods.

Two other things contributed to the disappointment in as great, if not a greater degree than what he has assigned. The one was that instead of applying themselves chiefly to husbandry, the original source of wealth and independence in such a country as this, he and his associates, being merchants, were rather intent on trade and fishery as their

their primary objects. These cannot be profitable in a new country until the foundation is laid in the cultivation of the lands. If the lumber trade and fishery cannot now be carried on to advantage without the constant aid of husbandry in their neighborhood, how could a colony of traders and fishermen make profitable returns to their employers, when the husbandry necessary for their support was at the distance of Virginia or England?

The other mistake which these adventurers fell into was the idea of lordship, and the granting of lands not as freeholds, but by leases subject to quit-rents. To settle a colony of tenants so far northward, where the charges of subsistence and improvement were much greater than the value of the lands after the improvements were made, especially in the neighborhood of so respectable and growing a colony as that of Massachusetts, was indeed a chimerical project; and had not the wiser people among them sought an union with the Massachusetts, in all probability the settlements must have been deserted. 156

What might have been the refult of this enterprise, had not the death of Mason occurred at this time, and had he been permitted to come to New England and take charge of these plantations himself, no one can say; for he was a man of great energy, and seems to have succeeded in matters which he was able to supervise personally.

At the death of Mason, Henry Josselyn represented his interests in the New World; but soon after this event he removed to Black Point, now Scarborough, Maine. He was a commissioner under William Gorges, and attended at Saco the first recorded meeting of the commissioners, March 25, 1636. It is not certain that he had then removed his residence

186 History of New Hampshire, by Jeremy Belknap, Vol. I. pp. 29-31; Genealogical Register, Vol. XXXIX. Farmer's edition, pp. 16, 17.

186 New England Historical and Genealogical Register, Vol. XXXIX. p. 359.

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refidence to Saco, though some place his removal there in the year 1635.167 Robert Mason represents him as overfeeing the property of Mason's heirs till Capt. Francis Norton was made steward in 1638; 158 and though he had evidently removed from the Pascatagua before 1638, he may have performed his duties through an agent. That he acted as a representative of the Laconia partners after he left their plantations is evident. On the 1st of October, 1637, he with Richard Vines and Thomas Warnerton, reprefenting themselves to be the duly appointed agents of Gorges, Mason, and their associates, conveyed land on Great Island to Francis Matthews. 159

The custody of the plantation at Newichwannock when Mason died was, as near as I can learn, in the hands of Humphrey Chadbourne, and that of the plantation at Strawberry Bank in Thomas Warnerton's hands.

In 1638 Mrs. Anne Mason, the widow and executrix of Capt. John Mason, appointed Francis Norton her "general attornie," and committed to him the whole management of her estate in these parts, as is shown by a letter from her to Ambrose Gibbons, dated at "East Greenwich, May 6, 1638," in which she requests Gibbons to deliver property in his hands, belonging to her late husband, to Norton.¹⁶⁰

Francis Norton was then a resident of Charlestown, Massachusetts, where he was an inhabitant as early as 1637, and in 1638 had a dwelling-house in Middle Row, besides other real

151 New England Historical and 294.
158 Vide New Hampshire Documents, by J. S. Jenness, pp. 56, 78.

169 New Hampshire Provincial Pa-Genealogical Register, Vol. XL. pp. 290
pers, Vol. I. pp. 98, 99.

294.

100 Ibid., Vol. I. p. 99. See also

New Hampshire Documents, by John S. Jenness, pp. 56, 78.

real estate. The precise date of his removal to the Pascataqua is unknown. He continued to have charge of the property here for two or three years, when he found that the situation of affairs did not warrant him in continuing to carry on the plantations. "The expense," says Belknap, "exceeded the income, and the servants became impatient for arrears." It was determined "to relinquish the plantation and tell the servants they must shift for themselves." 1623

Norton's residence was then, as it probably had been while he had charge of the Mason property, at the "Great House" at Little Harbor. After deciding to remove from the Pascataqua, he drove about one hundred head of cattle to Boston, where he sold them. These cattle were then worth £25 a head. He did not return, but resumed his residence in Charlestown. The date of his removal I have not been able to ascertain, but it was probably in the autumn of 1641. Four persons who testify in 1685 in relation to the driving of the cattle to Boston, state that it was about forty years previous. But I have noticed that there is danger of taking such statements too literally, especially if the term of years is a multiple of ten or sive. Norton was admitted a member

162 History of New Hampshire, by Jeremy Belknap, Vol. I. pp. 38, 39.

1641 from £25 and £30 to £5 and £6.

164 New Hamp/hire Provincial Papers, Vol. I. pp. 45-48.

¹⁶¹ History of Charlestown, by T. B. Wyman, Vol. II. p. 710. Third Report of Record Commissioners of Boston, 1877, Charlestown Land Records, p. 55. If Francis Norton was, as some suppose, the Capt. Norton whom Gorges and Mason request Warnerton and Gibbons to consult relative to laying out the lines dividing their lands from the other partners, he was probably in New England in 1634. Vide New Hampshire Provincial Papers, Vol. I. p. 88.

This price is given in the depositions of Francis Small, Nathaniel Boulter, and John Redman in the New Hampshire Provincial Papers, Vol. I. pp. 45-48. Thomas Hutchinson in History of Massachusetts, Vol. I. p. 93, states that the price of cattle fell in 1641 from £25 and £30 to £5 and £6.

member of the church at Charlestown April 10, 1642, 165 and a freeman of Massachusetts on the 18th of the following month. 166

We are informed by Francis Small, in his deposition, September 8, 1685, that after Norton had left the place "the other fervants shared the residue of the goods and stock among them, which was lest in that and the other plantations, and possessed themselves of the houses and lands." ¹⁶⁷

In the "Title of Robert Mason," probably written in 1677, it is stated that Norton was "a person wholy at the Devotion of the Massachusetts Government, a favourer of their principles and proceedings, and for his own private ends connived at their encroachments." As a resident of Massachusetts, and a church member there, no doubt Norton was in sympathy with the political and religious views of the people of that colony. This would naturally create suspicion in the minds of the Masons, even though Norton's conduct may have been in every way upright and honorable.

The patents from the Council of New England gave no powers of political government over the fettlers. Albert H. Hoyt, A.M., in his "Historical and Bibliographical Notes on the Laws of New Hampshire," after describing the authority which the overseers or superintendents of the different plantations necessarily exercised over the settlers, most of whom were servants in the employ of the grantees, remarks

165 Charlestown Church Records, by J. F. Hunnewell, p. 10; New England Historical and Genealogical Register, Vol. XXIII. p. 280.

166 Massachusetts Colony Records, Vol. II. p. 291; New England Historical

and Genealogical Register, Vol. III. p. 189. 187 New Hampshire Provincial Pa-

pers, Vol. I. p. 45.

168 Vide New Hampshire Documents, by John S. Jenness, p. 78.

marks: "As the population increased and local causes began to operate, a more efficient government, involving a larger representation of interests, became both convenient and necessary." 169 To supply the want, voluntary combinations were drawn up and figned by the inhabitants of the feveral plantations in this region.¹⁷⁰ That at Exeter was figned April 3, 1638, at the time the fettlement was made there. The original is still preserved. The Dover settlers formed a combination for government not long after this, but neither the document nor the names of the figners are preserved.¹⁷¹ We are more fortunate in regard to a fecond combination at Dover, October 22, 1640; for though the original is wanting, a copy with all the fignatures is preferved in the Public Record Office, London.¹⁷² There was a combination at Strawberry Bank; but here also neither the date, form, nor figners are known. A combination is spoken of in the grant of glebe land by "the inhabitants of the lower end of the Pascataquack," May 25, 1640, 178 and this grant is figned by "Francis Williams, 174 Governor." Mr. Williams is mentioned

tiquarian Society, April, 1876, p. 90.

170 A fimilar exigency led the Pilgrim Fathers to draw up the famous Compact on board of the Maystower.

¹⁷¹ First Church in Dover, New Hampshire, 250th Anniversary, 1884, by A. H. Quint, p. 21.

172 It is printed in full in New Hampfhire Documents, by J. S. Jenness, pp. 36, 37, and in Quint's First Church of

178 This grant is printed in full, with all the figners' names, in *Annals of Portsmouth*, by Nathaniel Adams, pp. 394, 395.

Francis Williams came over. He is faid by Hubbard to have been fent over to take charge of the falt-works. History of New England, p. 219. Belknap states that in 1634 Mason and Gorges "sent over a fresh supply of servants and materials for carrying on the settlement, and appointed Francis Williams their governor." History of New Hamphire, Vol. I. p. 23. I find no evidence of such an appointment, and he is not mentioned as holding this office in any of the numerous documents of the Masons. Hubbard states that Williams soon after the date of this grant removed

tioned by Gov. Winthrop as the "governour of those in the lower part of the river" in his account of the troubles in the Dover plantation, which he records early in 1641.¹⁷⁶ Evidently Little Harbor and Great Island, as well as Strawberry Bank, are included in this combination.

It was not long before many of the inhabitants of these towns sought the aid and protection of their powerful neighbor the Colony of Massachusetts. That colony readily aided them, and finally extended its jurisdiction over all the Pascataqua settlements. Under its laws the people here sound tranquillity and security, though they lost something of their former liberty.

Thomas Warnerton continued in charge of the house at Strawberry Bank till about the year 1644, when, according to the testimony of Small, he carried "quantities of goods and arms belonging unto Capt. Mason's plantation and fold them to the French that did inhabit at Port Royal." 176 that year, as Winthrop informs us, he with Richard Vines of Saco and Abraham Shurt of Pemaguid went to collect debts of M. La Tour, and on their way stopped at M. D'Aulnay's fort on the Penobscot, where they were detained as prisoners, but were released in a few days. They then went to La Tour's fort, and Warnerton was induced to go with some Englishmen and about twenty of La Tour's men to attempt the capture of the Penobscot fort, which they underflood was weakly manned and in want of victuals. A farmhouse

from this country to Barbadoes, where he died. History of New England, by William Hubbard, p. 220.

William Hubbard, p. 220.

William History of New England, by John

Winthrop, Savage's ed., Vol. II. p. 27

(2d ed. p. 33).

New Hampshire Provincial Papers, Vol. I. p. 45.

house about fix miles from the fort was taken and burnt, but Warnerton loft his life in the attack. The capture of the fort was not attempted. Warnerton is described by Winthrop as "a flout man" who had "been a foldier many years and lived very wickedly." Lately he had been alarmed at his spiritual condition by preaching which he had heard; but he had shaken off his fears and returned to his dissolute life before he met his fate. 177 After Warnerton's death, as Francis Small 178 testifies, "Sampson Lane came over from England with power, as he pretended, to look over and take care of the aforesaid plantations, and did settle himself in the great house at Strawberry Bank, and made additions thereunto, where he continued about three years, and then re-

177 "4 & 5," that is, June and July, 1644. "About this time Mr. Vines of Saco, Mr. Short of Pemaquid, and Mr. Wannerton of Pascataquack, went to La Tour to call for some debts, etc. In their way they put in at Penobscott, and were detained prisoners a few days; but after, for Mr. Short's fake, to whom D'Aulnay was in debt, they were dif-missed; and going to La Tour, Mr. Wannerton and some other Englishman of the eastern parts were entertained by him, and fent with some twenty of his men to try if they could not take Penobfcott, for he understood the fort was weakly manned and in want of victual. They went first to a farm-house of D'Aulnay's, about fix miles off, and there Wannerton and two more went and knocked at the door, with their fwords and piftols ready. One opens the door and another presently shoots Wannerton dead, and a third shoots his fecond in the shoulder, but he withal discharged his pistol upon him and shot him and killed him. Then other of

Wannerton's company came in and took the house and the two men (for there were no more) prisoners, and they burnt the house and killed the cattle they found there, and so embarked themfelves and came to Boston to La Tour." — History of New England, by John Winthrop, Savage's ed., Vol. II. p. 178. For notices of Warnerton, see Savage's edition of Winthrop, pages above cited; paper by Charles Deane, LL.D., on the Indenture of David Thomson and Others, in the Proceedings of the Massachusetts Historical Society, Vol. XIV. p. 381; Ancient Penaquid, by J.W. Thornton, pp. 93, 94; New Hampshire Provincial Papers, edited by Rev. N. Bouton, D.D., Vol. I. pp. 69, 70. Dr. Bouton supposes that this Thomas Warnerton was the Laconia partner who bore this name, but Dr. Deane shows that this could not be. His furname is often spelled Wannerton, and possibly that may be his real name.

178 New Hampshire Provincial Pa-

pers, Vol. I. pp. 45, 46.

turned to England, upon whose departure John and Richard Cutts came into possession of the house and lands at Strawberry Bank," but Small did not know by what right.

In 1651 Mrs. Anne Mason, who then resided in London, sent over her kinsman Joseph Mason to take charge of her affairs here. A power of attorney, authorizing him to have the custody of and to dispose of all goods and lands belonging to Capt. John Mason at the time of his death, was executed by Mrs. Mason, March 3, 1650-1. 179 Mr. Mason arrived in this country in the spring or summer following. He found that Richard Leader 180 had that year taken possession.

179 New Hampshire Documents, by J. S. Jenness, p. 38.

180 Richard Leader was a prominent man in Massachusetts before his removal to Newichwannock. Charles E. Banks, M.D., of Chelsea, Massachusetts, has furnished me with the following account of him:—

Richard Leader, so intimately involved in the legal controverfy concerning Mafon's property, " was formerly employed in Ireland about mynes" before his emigration to New England. Vide Downing to Winthrop, Massachusetts Historical Collections, Fourth Series, Vol. VI. p. 61. He came hither in 1645 under a contract for feven years, at an annual falary of £100, to superintend the Iron Works at Lynn; and the Adventurers paid the passage-money " for himselfe, his wife, 2 children, 3 servants." Downing writes that "if Mr. Leader had stood vpon yt he might have had 150 li per annum." Ibid. The same writer fays he was "a perfect Accountant, [and] hath skill in mynes and tryall of mettalls." When Child, Maverick, and Vassall were imprisoned by the General Court in 1646 for their alleged treasonable petition for freedom of worship,

they were "confined to M. Leders house." New England's Jonas, by John Child, p. 36, ed. 1869. At this house we have evidence of the culture of the man in a description lest us by Dr. Robert Child concerning his library: "M' Leader," he fays, "hath more curious bookes than I, especially about Divinity businesses." Vide Massachusetts Historical Collections, Fifth Series, Vol. I. p. 162. That his theological library had an anti-Puritanical bias we may well believe, for his Episcopal views found expression in criticisms of the church at Lynn and of other places, which was "construed as a threat and slander of the Government," and he was fined £50 for his contempt and held in the fame fum for his future good behavior. Vide Ecclesiastical History of New England, by Joseph B. Felt, LL.D., Vol. II. p. 43. This was in June, 1651, by which time he had severed his connection with the Iron Works, before the expiration of his contract; a change which had its beginning, doubtlefs, in a lack of fympathy with the religious views of his employers. Downing writes to Winthrop, 24 February, 1650-1: "I suppose you haue heard how Mr Ledar hath left the

fion of the land at Newichwannock, and, July 4, 1651, iffued a protest against his occupation of the property. Mason brought an action of trespass against Leader in the county court for the county of Norfolk in the Massachusetts Colony. The defendant pleaded that the lands at Newichwannock were not within the jurisdiction of Massachusetts. The Norfolk court, which was held at Salisbury, decided not to act in the matter, but to refer the case to the General Court of the colony, at its annual session in May, 1652. 1822

The

Iron Works, and lives at present in Boston; he is about erecting a faw mill at a place nere Pascattaway, that shall work with nere 20 sawes at once." Vide Mafsachusetts Historical Collections, Fourth Series, Vol. VI. p. 76. This new project Leader proceeded to execute, and in Maine he found himself among people of his own church principles. But hardly had he started in this enterprise when he was arrested upon a warrant, dated 2 December, 1651, "for building & erecting certaine houses vppon the lands about Newitchewannick in ve province of Maine, & for disposinge of ye goods without license & for cutting down ye tymber," there to erect a sawmill. Massachusetts Archives, Vol. XXXVIII. p. 71. For this he was held and gave bonds in £1,000 with Richard Cutt of Portsmouth, whom he calls "my brother." He became a member of the provincial government under Edward Godfrey in 1652, and in December of that year was fent by his colleagues to England as a bearer of their remonstrance to Cromwell against the usurpation of Massachusetts. While in London he fold one quarter of his mill privileges to John Becx & Co. Becx was one of the Adventurers in the Iron Works at Lynn, of which Leader had been superintendent; and this conveyance may

have been a part of their previous bufiness transactions. Upon his return he probably fettled in Kittery, as in 1653 and 1654 he had five grants of land in this town. He died "within the province" of Maine before the 27th of December, 1661, at which time Robert Jordan was appointed to administer his estate. Colonial Papers, Vol. XV. p. 96. It is probable that he had been dead feveral years. He left but one child of whom we have any present knowledge, a daughter Anna, who married a Clark of Portsmouth. She calls herself, in her petition of 1720, "the only furviving child . . . of Mr Richard Leader" and "Neece and nearest Relation of Mr George Leader." Vide York County Probate Records; compare New England Historical and Genealogical Register, Vol. XXXIV. p. 407.

George Leader, the brother of Richard Leader, fettled at Newichwannock in 1652, probably as an affiftant to Richard, and ferved on the Grand Jury

in 1654.

181 This protest is printed in New Hampshire Documents, by John S. Jenness, p. 38.

nefs, p. 38.

182 The writ of attachment dated December 2, 1651; the bond of Mason bearing the same date, for £10 to prosecute the case "at yo court to be holden at Salisbury

The Court of Election of the Massachusetts Colony, to which the case was referred, commenced its session at Boston on the 26th of May, 1652. Before taking action on this case, a survey of the northern boundary was ordered. A hearing was given to Mr. Mason, but the decision of the court was not rendered till August, 1653. The committee on the boundary had before this reported that the northern boundary of the colony was three miles north of the latitude 43° 40' 12", where the "Aquedahtan," which they confider the head of the Merrimac, iffues out of Lake Winnepesaukee. The court therefore determined that the lands in question lay wholly within the jurisdiction of Massachusetts. It found that fome lands at Newichwannock and the rivers there, by agreement of Sir Ferdinando Gorges and others, were apportioned to Capt. John Mason, and that he also had a right, by purchase of the Indians, to some lands there, "as also by possession and improvement by building and otherwise;" that the lands in question were bequeathed by Capt. Mason to his wife during her life; and that Leader had unjustly entered upon and dispossessed Mrs. Mason of that part of the river, and of some lands where he had erected a saw-mill. The court therefore ordered that "a quantitie of land, with priviledge of the riuer, at Newitchawannicke, proportionable to Capt. Inº Masons disbursments, be laid out by order of this

Salifbury ye (2) (3) day of ye next (2) month" [query, April 13, 1652]; the bond of Leader for £1000 to appear at the faid court, and the decision of the court, — are all preserved in the Massachusetts Archives, Vol. XXXVIII. pp.

Vol. III. p. 278; Vol. IV. pp. 93, 109. This was the famous furvey made by John Sherman and Jonathan Ince under the direction of Capt. Edward Johnson and Capt. Simon Willard, the committee appointed by the General Court. See 70, 71. accounts by con 1 ming can denea-188 Massachusetts Colony Records, New England Historical and Genea-logical logical this Court to the vse of Mⁿ Ann Mason and other the heires of Capt. Inº Mason." 184

While the action against Richard Leader was before the Massachusetts General Court, Joseph Mason prepared a petition to that court, which he presented at the session May 6, 1653, the fession to which the decision in the Leader case had a year previous been affigned. The petitioner complained that encroachments had been made on his client's property at Strawberry Bank and elsewhere, and that her tenants who held leafes of lands had been molested.¹⁸⁶ the "Title of Robert Mason," it is stated that the court gave no answer to this petition.¹⁸⁶ Nothing relative to it appears on the General Court records. It may be that Portfmouth, as Strawberry Bank was now called, being recognized as a township in the county of Norfolk, and being represented as fuch in the General Court of Massachusetts, the members judged that the Norfolk county court was competent to hear and decide these matters. On the 5th of July, 1653, Mason set up a writing on the doors of the meeting-houses at Dover, Exeter, Portsmouth, and other places, protesting against the proceedings of the Massachusetts government and forbidding all persons to graze upon their lands, to cut grass or fell timber "without licence or composition first had or obtained from the faid Joseph Mason." 187

Mrs. Anne Mason

logical Register, Vol. I. pp. 311-314; by James Kimball in Historical Collections of Essex Institute, Vol. XIV. pp. 153-171; by William F. Poole, LLD., in the Introduction to his edition. tion of the Wonder Working Providence (1867), pp. cxii-cxiv.

194 Massachufetts Colony Records,

Vol. IV. p. 156. See also Vol. III. pp. 279, 309; Vol. IV. pp. 94, 138.

185 The petition is printed in New

Hampshire Documents, by John S. Jenness, pp. 40-42.

186 New Hampshire Documents, by

J. S. Jenness, p. 79.

Mrs. Anne Mason died in 1655; and her grandson Robert Tuston alias Mason, now in his twenty-first year, became the executor of her estate. Her death left him the sole heir to this property. His kinsman, Joseph Mason, continued to act as the agent of the estate in New England till the autumn of 1667, when he returned to England. During the last years that he remained here he probably did not perform much active service, as Robert Mason on the 3d of May, 1664, writes from London to Richard Nicholls, one of the King's Commissioners, that Joseph Mason, though formerly his agent, was "by reason of his age not able any longer to act therein." 189

In 1659, after the refignation of Richard Cromwell as Protector, Robert Mason united with Edward Godfrey, Ferdinando Gorges, grandson of Sir Ferdinando Gorges, and others, in petitioning Parliament for relief in New England matters. The restoration of the monarchy took place the next year. Mason and others in that year presented a petition to Charles II. to the same purport, and requested that their

188 Joseph Mason is referred to by Nicholas Shapleigh in his letter to Robert Mason, May 20, 1667, as being about to sail for England in the ship Great Duke of York, in New Hampshire Documents, by J. S. Jenness, p. 53. It would seem, however, that he did not return then, as in the Title of Robert Mason (Ibid., p. 82), Capt. Robert Pike is mentioned as having negotiations, in September, 1667, with Joseph Mason, "who was then returning for England."

tioned as having negotiations, in September, 1667, with Joseph Mason, "who was then returning for England."

189 William M. Sargent, Esq., of Portland, Maine, quoting York Registry, Vol. II. p. 36. Joseph Mason was then about seventy years old, as is shown by his

deposition in May, 1652, when he deposed that he was about fifty-eight years old, showing that he was born about 1594. Vide New Hampshire Provincial Papers. Vol. 1, p. 102.

Papers, Vol. I. p. 102.

180 The petition, which is printed in full by Charles E. Banks, M.D., in the Appendix (pp. 41-46) of his edition of Gardner's New England's Vindication, published, in 1884, by the Gorges Society, is from Edward Godfrey, Oliver Godfrey, Ferdinando Gorges, Robert Mason, Edward Rigby, Henry Gardner, and others, patentees and inhabitants of the provinces of Maine and Laconia.

their case be referred to Lord Willoughby and ten others named in their petition.¹⁹¹ About the same time Mason feems to have prefented a feparate petition in relation to his title, which was referred by the king, October 25, 1660, to Sir Geoffrey Palmer, the attorney-general. Palmer reported, November 8, 1660, that "the petitioner, Robert Mason, who is grandfon and heire to John Mason, hath a good and legal right and title to the lands."

The king also complied with the wishes of the other petitioners, and, November 17, 1660, referred the petition of Godfrey, Gorges, Mason, and others to the "lords, knights, and others" named in the petition, or any three of them. The referees publicly announced that they would give the petitioners a hearing in London on the 21st of January, 1660-1, and notified others interested to appear. Capt. John Leverett appeared in behalf of Massachusetts, but flated that, though formerly an agent of the colony, he had now no authority to act in its behalf. The committee made a report, in which the action of Massachusetts was censured. They decided that "Robert Mason and Edward Godfrey have been damnified in their plantations and estates to

191 The petitioners are Robert Mafon, Edward Godfrey, Henry Gardiner, George Griffine [Griffith?], and others, patentees of the provinces of Hampshire and Maine, and of other tracts of lands in New England. They ask the king to appoint as referees Lord Willoughby, Lord Baltimore, Robert Mason, Doctor of Laws and Master of Requests to his Majesty, Sir James Bunce, Bart., Sir II. (1794), pp. 574-579, and in the Col-John Jacob, Sir Nicholas Crisp, Sir lections of the New Hampshire His-Richard Ford, John Exton, Gyles Sweit, torical Society, Vol. I. (1824), pp. 327-William Turner, and John Myles, the 333.

last four doctors of laws, and Thomas Povey. The report is figned by Mason, Bunce, Exton, Povey, Sweit, Ford, and Myles. The feveral documents, namely, the reports of Sir Geoffrey Palmer, the petition of Mason and others, the king's order, and the report of the referees, are printed in full in the Historical Collections, by Ebenezer Hazard, Vol.

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the valew of five thousand pounds, according to the judgment and estimation of severall witnesses examined in that behalfe."

On the 25th of April, 1664, the king appointed Col. Richard Nicholls, Sir Robert Carr, Col. George Cartwright, and Samuel Maverick commissioners to proceed to New England, with power to determine "all complaints and appeals in all causes and matters, as well military as criminal and civil." 192 Mason and the heir of Edward Godfrey 198 about this time petitioned the king that he would refer their claims to the decision of the royal commissioners. 194 The commissioners arrived in New England in the summer of 1664, and proceeded to act as directed in their commission. They heard at Pascataqua the cause of Mason. They decided that the province was not within the jurisdiction of Massachusetts, but took no action to reinstate Mason in his possessions, except by attempting to set up a government 196

under

192 The commission is printed in the History of Massachusetts, by Thomas Hutchinson, Vol. I. (1764), pp. 535, 536. 198 Dr. Charles E. Banks, author of the Life and Letters of Edward Godfrey, which will appear in the forthcoming volume of the Collections of the Maine Historical Society, First Series, Vol. IX., informs me that the "heire of Edward Godfrey" must have been his grandson Oliver, an infant son of his "onely fonne Oliver." Oliver was churchwarden of Seal, Seven Oaks, co. Kent, and was buried there 23 October, 1661, leaving a widow and two infant fons, Oliver and Charles, the latter of whom was buried 15 April, 1664. Edward, the patentee, was alive in April, 1663, as an inmate of Ludgate, the poor debtors' prison.

194 The petition is printed in the Collections of the New Hampshire Historical Society, Vol. I. (1824), pp. 333,

334.

198 See Address of Massachusetts Colony to the King, October 25, 1664, in Massachusetts Colony Records, Vol. IV. part ii. pp. 129-133, and in the History of Massachusetts, by T. Hutchinson, Vol. I. (1764), pp. 537-543; Narrative of the Commissioners in the Collection of Papers by Thomas Hutchinson (1769), pp. 412-425; Prince Society's ed., Vol. II. (1865), pp. 140-153; and the letter of Charles II. to the Massachusetts Colony in 1666 in the History of Massachusetts, by T. Hutchinson, Vol. I. (1764), pp. 547, 548, and in Maine Documents, by George Folsom (1858), pp. 75, 76.

under which his claims could be tried. The attempt was a failure, and the Massachusetts authorities "continued to exercife jurisdiction, appoint officers, and execute the laws in these towns as they had done for twenty-five years, to the general fatisfaction of the people, who were united with them in principles and affection." 196

In 1667 Joseph Mason, the agent of Robert Mason, returned to England. He affured his relative that the inhabitants of the province defired to comply with the king's pleasure to have his government established over them. He brought over affidavits taken before Francis Champernowne, 197 one of the justices of the peace there, that all the masts sent from New England that year in the ship Great Duke of York, and all that had been fent to England within the past two years, were cut from the lands of Mason. 198

In 1671 Robert Mason, as the proprietor of New Hampshire, and Gorges, as the proprietor of Maine, petitioned his Majesty to take into consideration the settlement of affairs in New England, and the restoring of the petitioners to their rights

196 History of New Hampshire, by J. Belknap, Vol. I. (1784), p. 117.

197 Capt. Francis Champernowne was the ninth child and youngest son of Arthur Champernowne by his wife Bridget, daughter of Sir Thomas Fulford. He was born in the parish of Dartington, Devonshire, where he was baptized in October, 1614. He was a relative of Sir Humphrey Gilbert and Sir Walter Ralegh, whose mother was Katharine, fifter of Sir Arthur Champernowne, the great-grandfather of Francis. He came to New England and fettled at Kittery, Maine. He died between November 16, 1686, and September 20, 1687. His

will is printed in the New England Historical and Genealogical Register, Vol. XXVII. pp. 146-148. Mr. Tuttle contributed a series of articles on Francis Champernowne and his ancestry to the above-named periodical, Vol. XXVIII. pp. 75-82, 318-323, 403-409. He left in manuscript a work on the Life and Times of Capt. Francis Champernowne, now in the possession of his widow, Mrs. Mary P. Tuttle, which it is hoped may before long be published.

198 Title of Robert Mason, in New
Hampshire Documents, by J. S. Jen-

ness, p. 59.

rights. The king referred the matter to the Lords of Trade and Plantations, who reported in August, 1671, advising that commissioners be sent to New England to ascertain the differences relating to the boundaries, and to fettle them amicably, if possible; if not, to report the case to his Majefty for his determination.¹⁹⁰ On the 19th of September the Earl of Arlington informed the Council that the king had decided to fend commissioners to New England, and requested them to prepare instructions to be ready by the next fpring, and to oblige Mason and Gorges to promise that they would not fell their interests in New England without the king's permission.200 In March, 1672, war was declared with Holland, and nothing further was done, "the whole attention of the government of England being taken up with things that more immediately concerned themselves." 201

Two years after, Henry, Earl of Stirling, with Gorges and Mason, submitted a proposal to the king to surrender their patents to the crown, so that his Majesty would have a clear right to send over a general governor for the three provinces, and to take new grants from the king entitling them to "one th[ird?] part of the Customs, Rents, Fines, and other Prosits which should be made in the said provinces, or such other reasonable compensation in lieu thereof as His Majesty might think sit." This proposal was laid before the Privy Council

199 A letter of Nicholas Shapleigh, May 20, 1667, to Robert Mason on the state of his province and what would be necessary to establish it, and Mr. Mason's account of the commodities of New Hampshire, December 11, 1671, both preserved in the British State Paper

Office, are printed in New Hamp/hire Documents, by J. S. Jenness (1876), pp. 52-55.

200 New Hamp/hire Documents, by J. S. Jenness (1876), pp. 58, 59.
201 History of New Hamp/hire, by J. Belknap, Vol. I. (1784), p. 118.

Council March 20, 1673-4, and was referred to the Lords of Trade and Plantations.²⁰²

The war with Holland had closed in February. Charles II., finding the heirs of Gorges and Mason inclined to sell their rights in New England, entertained the project of purchasing the provinces of Maine and New Hampshire to make a government for the Duke of Monmouth. "The duke himself," says Belknap, "was greatly pleased with the scheme, as he had been told that an annual revenue of five thousand pounds or more might be collected from these provinces. But by the more faithful representations of some persons who were well acquainted with the country, he was induced to lay aside the project." Belknap surther informs us that, "the scheme of selling the provinces of New Hampshire to the crown being laid aside, Mason again petitioned the king for

202 A copy of this petition will be found in the Massachusetts Archives, Vol. III. p. 302. It is entitled "The Humble Proposals of William Earl of Stareling, Ferdinando Gorges, Esqr., and Robert Mason," but is signed only by Robert Mason. Though there is an error in the Christian name of the then Earl of Stirling, which may be a mif-take of the copyist, I presume that this nobleman authorized the use of his name. The Earl of Stirling at that time was Henry Alexander, the fourth Earl, who was a fon of Henry, the third Earl, and a grandson of the first Earl, Sir William Alexander, whose life and fervices, particularly in American Colonization, are the subject of a volume edited by the Rev. Edmund F. Slafter, A.M., and iffued by the Prince Society in 1873. Henry Alexander, fourth Earl of Stirling, died in 1690. Vide Sir

William Alexander and American Colonization, p. 114; Peerage of Scotland, by Robert Douglas (1764), p. 643; Vindication of the Rights and Titles of Alexander, Earl of Stirling and Dovan, by John L. Hayes (1853), folding pedigree. Mason considered the proposal of the Earl of Stirling, Gorges, and himself "very advantageous to his Majestie." Vide Title of Robert Mason to New Hampshire, March, 1674-5, in New Hampshire Documents, by J. S. Jennels, pp. 54-60.

Jennels, pp. 54-60.

2008 History of New Hampshire, by J. Belknap, Vol. I. (1784), pp. 118, 119. Vide also letters of the Rev. John Collins, Major Robert Thomson, Gov. John Leverett, in A Colledition of Original Papers, by T. Hutchinson (1769), pp. 451, 452, 462-475; Prince Society's ed. Vol. II. (1865), pp. 183, 184, 195-

200.

for the reftoration of his property; and the king referred the matter to his attorney-general, Sir William Jones, and his folicitor-general, Sir Francis Winnington, who reported that 'John Mason, Esq., grandfather of the petitioner, by virtue of feveral grants from the Council of New England, under their common feal, was inflated in fee in fundry great tracts of lands in New England by the name of New Hampshire; and that the petitioner, being heir at law to the said John, had a good and legal title to faid lands.'204 Whereupon a letter was defpatched to the Maffachufetts Colony, requiring them to fend over agents within fix months, fully impowered to answer the complaints which Mason and the heirs of Gorges had made." 206

In 1676 Edward Randolph, 206 a relative by marriage of Robert Mason, 207 brought to Massachusetts the letter referred to, and copies of the petitions and complaints of Mason and Gorges. Randolph, who now appears on the stage in the interest of his kinsman, afterwards became one of the most aggressive opponents of the Charter of Massachufetts and the government under it. The king's letter was dated March 20, 1675-6. Randolph arrived, June 10, 1676,

²⁰⁴ MS. copy in Superior Court files. Marginal authority of Belknap for his quotation.

206 History of New Hampshire, by J. Belknap, Vol. I. pp. 164, 165.
206 Edward Randolph was a son of

Edmund Randolph, a physician of Canterbury, England, where he was baptized July 9, 1632. Mr. Tuttle read a biographical sketch of him before the Massachusetts Historical Society, February 12, 1874, and his paper appears in the Proceedings of that Society, Vol. XIII. pp. 240-242. A sketch by Mr. G. D. Scull is printed in the New England

Historical and Genealogical Register, Vol. XXXVII. pp. 155-159, 267-274. ²⁰⁷ Randolph's first wife was Jane, daughter of Thomas Gibbon, of West Cliff, in Kent. Her brother, Richard Gibbon, married Ann Tufton, fifter of Robert Mason. Another son of Thomas Gibbon and brother of Jane and Richard was Matthew Gibbon, the grandfather of Edward Gibbon, the celebrated historian.

at Boston, and delivered the king's letter to Gov. John Leverett.²⁰⁸ The fame day, by invitation, he attended a meeting of the magistrates, where the letter was read. In his letter the king "commanded that agents should be sent over to appear before him, in fix months after the receipt of the letter, fully instructed and empowered to answer." 209 A special session of the General Court was summoned to meet on the 9th of August, at which a committee of eight, of which Simon Bradstreet was chairman, was chosen to prepare a letter to the king and an answer to the two petitions of Mason and Gorges.²¹⁰ The session was adjourned to the 6th of September, at which it was decided to fend over agents, and William Stoughton and Peter Bulkley were appointed as fuch. A letter to the king, a declaration of the right of the colony to the lands claimed by Mason and Gorges, and inftructions to Stoughton and Bulkley were adopted.211

Randolph left Boston July 30, 1676, and arrived at Dover. England, on the 20th of September. 212 Stoughton and Bulkley left October 31,218 and reached England December

208 Vide Andros Tracts, Prince Society, Vol. III. (1874), p. 214. Letters by Randolph to Gov. Leverett, dated June 23 and July 6, 1676, are printed in the Appendix to his History of New the same volume, pp. 218-221. Randolph wrote a letter from Boston June 17, 1676, to Sir Henry Coventry, his Majesty's principal Secretary of State. An abstract of this letter is printed in New Hampshire Documents, by J. S.

Jennefs (1876), pp. 60, 61.

200 History of Massachusetts, by T.

Hutchinson, Vol. I. (1764), p. 311.

210 A petition of Robert Mason, of

which an undated copy was found by Belknap among the papers of the Masonian Proprietors and printed by him in Hamp/hire, pp. 17-22, is probably the petition of Mason here referred to.

²¹¹ The feveral documents here named are entered on the colony records, September 2, 1676. Vide Massachusetts Colony Records, Vol. V. (1854), pp. 106-117.

²¹² Andros Trasts, Prince Society,

Vol. III. (1874), p. 214.

218 Diary of John Hull, in the Trans-

ber 20.²¹⁴ After his return, Randolph prepared for the king a narrative, dated September 20, 1676, of his reception by the Massachusetts authorities, and what he had done in this country; and for the Council an account, dated October 12. 1676, of the state of the country and the government. 216

The king referred the matter in controversy between the Massachusetts Colony and Messrs. Mason and Gorges to the Lords of the Committee for Trade and Plantations, who were directed to take the advice of the Lords Chief Justices of the King's Bench and Common Pleas. The parties were granted a hearing April 5, 1677, when, after counsel had been heard on both fides, the committee requested the Justices to receive written statements of the claims made by each party, and return their opinions upon them. Justices appointed a day for a hearing, and received from the parties such papers as they saw fit to submit.216 They gave their opinion, which the Lords embodied in their report to the Privy Council. Both the report of the board and the opinion of the Justices were confirmed by the king in council.217 Mason, at the hearing, waived his right to the government of the lands claimed by him, being convinced by his

actions of the American Antiquarian Society, Vol. III. (1857), p. 242.

214 Andros Tracts, Prince Society,

Vol. III. p. 214.

216 These documents are printed in the Collection of Papers by T. Hutchinfon (1769), pp. 477-511; Prince Society's ed. Vol. II. (1865), pp. 210-248.

216 A new and enlarged statement of

the Title of Robert Majon, evidently prepared about this time, and probably for this occasion, is preserved in the British State Paper Office. It is printed in New Hampshire Documents, by J. S. Jenness (1876), pp. 75-82.

217 The record of the Privy Council, July 20, 1677, printed in the History of New Hampshire, by J. Belknap, Vol. I. (1784), Appendix, pp. xxviii-xxxii, contains the report of the board embodying the decision of the Justices. Abstracts of the decision are printed in the History of Massachusetts, by T. Hutchinson, Vol. I. (1764), p. 317, and in the History of New Hampshire, by J. Belknap, Vol. I. (1784), p. 163.

own counsel that "no such power or jurisdiction could be transferred or assigned by any color of law." The Justices gave it as their opinion that the claim of Massachusetts to the power of government within the limits of their patent was valid, as was also that of Gorges within his limits if they did not extend into the territory of Massachusetts. As to the title to the lands claimed by Mason and Gorges, the agents of Massachusetts disclaimed all right to it. But the Justices add:—

The faid lands are in the possession of several other persons not before us, whereupon we thought it not fit to examine any claims to the said lands, it being, in our opinion, improper to judge of any title of land without hearing of the ter-tenants or some other persons on their behalf; and if there be any course of justice upon the place having jurisdiction, we esteem it most proper to direct the parties to have recourse thither for the decision of any question of property, until it shall appear that there is just cause of complaint against the courts of justice there for injustice or grievance.

On the 9th of January, 1678–9, Mason and Gorges presented a petition to the king, offering to surrender to him their right and title to the government of New Hampshire and Maine, and requesting him to appoint a governor over these two provinces. They pray that the jurisdiction of the said governor shall extend over all the petitioners' lands according to their grants. This petition, or one from Mason individually, was laid before the Lords of the Committee for Trade and Plantations, and on the 15th of January the agents of Massachusetts were directed to reply. Stoughton

²¹⁸ The petition is printed in *New Hampshire Documents*, by J. S. Jenness (1876), pp. 71, 73.

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Stoughton and Bulkley prepared, February 4, 1678-9, a representation of the case between Massachusetts and Mason, which was read before that board on the 13th of February. They say that Mr. Mason can produce no title to the lands he claims "upon any other accompt than of a bare grant of late produced from the Council of Plymouth, which is altogether uncertaine as to its boundaries, was never pursued or executed by Livery of Seizen made." They think that this title "cannot be of force to eject the present Inhabitants, and is a very poor soundation to build the Title of Sole Proprietor of the Province of New Hampshire upon, a name not pretended to be in being till six yeares after the obteyning of the Charter of the Massachusetts." 219

The Popish Plot having engrossed the attention of the government of England, so that it could not attend to these matters, and the agents of Massachusetts, who had been required to answer other complaints, having expressed a desire to return home, the king gave them his permission to leave, and sent by them a letter, dated July 24, 1679, to the governor of the colony. The king complains that the agents were not granted larger powers, and requires that new agents, with full powers, be sent within six months after the receipt of this letter. He also complains that Massachusetts had purchased, without the royal permission, the rights of Gorges in the province of Maine. He commands them

Hamp/hire Documents, by J. S. Jenness

(1876), pp. 73, 74.

220 The fale was made to John Usher,
March 13, 1677-8, and Usher conveyed
it to the Governor and Company of
Massachusetts Bay, on the 15th of

March, two days later. The deeds are printed in the Collections of the Maine Historical Society, Vol. II. (1847), pp. 257-264. The confideration named in both deeds is £1,250 "of lawful English money." A letter of Robert Mason concerning this sale, which was read at

to recall all commissions granted by the colony for governing that part of the province of New Hampshire lying more than three miles northward of the Merrimac river, the government of which, he informs them, remains vested in the crown. He also notifies them that a form of government for that province is under consideration.²²¹

The agents brought home an opinion on Mason's case by Sir William Jones, the attorney-general, dated September 18, 1679. In regard to Mason's grants, he did not see how any of them could be good, as they were only under the feal of the Council of Plymouth, unwitnessed and without any entry of record of them anywhere, without feifin endorfed, and no possession having ever gone along with them. The law of limitations passed by the Massachusetts Colony he confidered "a reasonable law, and agreeing in reason with the law of England." His opinion was that Mason's claim could not properly be tried by any of the four courts, but according to the law of the place, if it lie within any jurisdiction, and if within none, the king might erect courts to proceed according to the law of England. As ten of the towns claimed by Mason remained, according to the opinion of the chief justices within Massachusetts, his right in them should be tried under the laws of that colony, "liable to fuch appeal as the charter allows, if it allows any." 222

Messrs. Stoughton and Bulkley left England in September,

a meeting of the Lords of Trade and Plantations March 25, 1679, is printed in *New Hamp/hire Documents*, by J. S. Jenness, p. 83.

The letter is printed in the Collection of Original Papers, by T. Hutch-

inson, pp. 519-522; Prince Society's ed., Vol. II. pp. 257-261.

1679.

The statement of this case and the opinion of Sir William Jones are printed in the *History of Massachusetts*, by T. Hutchinson, Vol. I. (1764), pp. 315-318.

1679, 228 and arrived at Boston on the 25th of December. 224 Randolph followed them on the 23d of October, carrying a commission for a new government in New Hampshire; and though he went by the way of New York, he arrived at Portsmouth the same month that the Massachusetts agents reached New England. Randolph says that for two years he attended in England to the matter in controversy, and made good at the council chamber his charge against the Governor and Company of Massachusetts. "The Agents," he adds, "confess the sact, pray his Majesties pardon, and acknowledge his Majesties Right to the Government of the Province of New Hampshire."

A commission for the government of the four towns of Portsmouth, Hampton, Dover, and Exeter, under the designation of the Province of New Hampshire, passed the great seal, September 18, 1679. The authority was vested in a president and council, who were named in the commission and who were all inhabitants of the province, and in an assembly chosen by the people. The commission was brought to Portsmouth by Randolph on the 27th of December, and on the 30th was delivered to John Cutt, who was named in it as president. Mason's rights, which had been confirmed by high

Vol. III. (1874), p. 215.

224 Diary of John Hull, in the Transactions of the American Antiquarian Society, Vol. III. (1857), p. 246.

225 Andros Traits, Prince Society, Vol. III. (1857)

Vol. III. (1874), pp. 214, 215.

200 The commission is printed from a copy on the Province Records, in the Collections of the New Hamp/kire Hif-

torical Society, Vol. VIII. (1866), pp. 1-9. An extract of the matter relating to Mason is printed in the History of New Hampshire, by J. Belknap (1784), Appendix, pp. xxxii, xxxiii.

***Yide Andros Trasts, Prince Society, Vol. III. (1874), p. 215; New Hampshire Documents, by J. S. Jennes,

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high judicial authority in England, were expected to be maintained by the new government; but as many people had long been in possession of their lands, restrictions were laid upon Mason which are stated as follows in the commission:—

To prevent in this case any unreasonable demands which might be made by the said Robert Mason for the right he claimeth in the said soil, we have obliged the said Robert Mason under his hand and seal, to declare that he will demand nothing for the time past, until the 24th of June 228 last past, nor molest any in their possessions for the time to come, but will make out titles to them and their heirs forever, provided they will pay to him upon a fair agreement, in lieu of all other rents, six pence on the pound according to the just and true yearly value of all houses built by them, and of all lands, whether gardens, orchards, arable or pasture, which have been improved by them, which he will agree shall be bounded out unto every of the parties concerned, and that the residue may remain unto himself to be disposed of for his best advantage.

The new plan of government was not popular with the inhabitants. The officers named in the commission "would gladly," says Belknap, "have declined acting in their new capacity; but considering the temper of the government in England, the unavoidable necessity of submitting to the change, and the danger, upon their resusal, of others being appointed who would be inimical to the country, they agreed to qualify themselves, determining to do what good and keep off what harm they were able." They therefore published the commission and took the oaths on the 21st of January. "This change of government gratisted the discontented few.

228 The copy on the Province Records reads "12th of June."

few, but was greatly diffelished by the people in general, as they faw themselves deprived of the privilege of choosing their own rulers, which was still enjoyed by the other colonies of New England, and they expected an invasion of their property foon to follow." 229 Writs for the election of an affembly were iffued, and deputies from the four towns of Portsmouth, Dover, Exeter, and Hampton met at Portsmouth, March 16, 1679-80, and proceeded to make laws and transact the usual legislative business.

On the 6th of August, 1680, Mason petitioned the Lords of Trade and Plantations, stating that the fix months allowed the Massachusetts Colony to send over their agents had long expired, and as he was preparing to return to New England to fettle his affairs, he requested that the report of the Lords, the reading of which he had, at the folicitations of the former agents, refrained from pressing, might now be offered to his Majesty for the royal determination.200

In December, 1680, Mason arrived at Portsmouth, New Hampshire, with a mandamus 281 requiring the Council to admit him to a feat at the board. It bore date October 1, 1680, and Mason was admitted on the 30th of December. At the same time Richard Chamberlain brought over a commission from the king appointing him secretary of the province and clerk of the Council, to which offices he was admitted

History of New Hampshire, by J. Belknap, Vol. I. pp. 175-177. The doings of the new government are given in two letters of President Cutt to the king, dated March 29 and June 11, 1680, which are printed in the same volume, Appendix, pp. 33-35. It may be noted History of New Hampshire, by J. Belthat the name New Hampshire was first knap, Vol. I. Appendix, pp. 36, 37.

accepted by the inhabitants of the province under this government.

290 The petition is printed in New Hampshire Documents, by J. S. Jenness, pp. 85-87.

²⁸¹ The mandamus is printed in the

admitted the fame day that Mason was to his. Belknap gives this account of Mason's doings:—

He foon entered on the business he came about; endeavoring to perfuade fome of the people to take leafes of him, threatening others if they did not, forbidding them to cut firewood and timber. afferting his right to the province, and affuming the title of Lord Proprietor. His agents, or stewards, as they were called, had rendered themselves obnoxious by demanding rents of several persons and threatening to fell their houses for payment. These proceedings raifed a general uneafiness; and petitions were fent from each town as well as from divers individuals to the Council for protection; who taking up the matter judicially published an order prohibiting Mason or his agents at their peril to repeat fuch irregular proceedings, and declaring their intention to transmit the grievances and complaints of the people to the king. Upon this Mason would no longer sit in council, though defired, nor appear when fent for. When they threatened to deal with him as an offender, he threatened to appeal to the king, and published a summons to the president and several members of the Council, and others to appear before his Majesty in three months. This was deemed "an usurpation over his Majesty's authority here established," and a warrant was issued for apprehending him; but he got out of their reach and went to England.202

Mr. Chamberlain, the fecretary of the province, who was a friend and supporter of Mason, gives a more favorable account of his reception by the people of New Hampshire. After stating that the publication of the mandamus was delayed, on account of the illness of President Cutt, till February, Chamberlain proceeds:—

But so soon as it was published, wherein His Majesty had declared the Agreement made on their behalf with Mr. Mason as to their improved

History of New Hampshire, by J. Belknap, Vol. I. pp. 182, 183.

improved lands, and about the same time Mr. Mason fixing up his Declaration for fatisfaction of the People on his part; the people came in from all parts and welcomed him into the Country, defiring a confirmation of their estates in their lands, and to take grants for the fame with the addition of more lands, some of them having lived in these parts above twenty years, and yet could never obtain the least parcel of land for their convenience of trade and living, as many in my hearing have complained. So that in a short time near half of the province had bin with him and entred their names with me as fecretary of the Province, most of them complaining of the heavy burthens and oppressions they lay under. But there hath not been that good understanding between Mr. Mason and the Councel, as I suppose His Majesty might reasonable expect, he having it seems refused some proposals made by them, at his first coming, about their undertaking to raise a yearly rent, payable to him, upon each town of the Province, and to be managed by them; he declaring that he would treat with every one apart, and let them lands as he should fee cause, and if any of his tenants had afterwards just occasion of complaint, he could and would ease them at his pleasure, and would not trust that power to others; the people generally desiring also to hold their estates immediately of him. Whereupon they have endeavored to give him what trouble they can, by difwading the people from agreeing, altho I must confess some of the Councel likewife have, to my knowledge, feveral times affirmed that they did not defire to hinder any perfons from complying and taking conveiances from Mr. Mason. Yet they will not endure he should be owned as Proprietor, tho I take it to be clear his Majesty doth.²³⁸

A few months after Mason's arrival, March 27, 1681, President Cutt died. Chamberlain calls him "an honest loyal gentleman" who "stood for the Proprietor's right, owned him and purposed to take his Grants from him."

New Hampshire Documents, by J. S. Jenness, pp. 96, 97.



On

On the 5th of April Major Richard Waldern,²²⁴ who became one of the most formidable opponents of Mason's claim, was chosen president in his place. Chamberlain considers the opposition to Mason to have been encouraged and softered by the principal members of the government; but it is evident that a large portion of the people themselves were opposed to his claims. The warrant for his arrest, mentioned in the quotation from Belknap, was dated May 18, 1681.²²⁵ He is mentioned, May 16, as "now going for England," and probably left within a sew days.²³⁶

Charles II., in a letter to the Massachusetts Colony, dated September 30, 1680, summoned the inhabitants of the territory lying between the Merrimac and Naumkeag to appear before the Privy Council and defend their rights to the lands in their possession. This the people living in that territory justly considered a great grievance. The inhabitants of Beverly

of William and Catharine (Raven) Waldern, of Alcester, in Warwickshire, England, and was baptized in that parish January 6, 1615-6. He and his brother William settled early at Dover, New Hampshire. A pedigree giving his English ancestry is printed in the New England Historical and Genealogical Register, Vol. VIII. (1854), p. 78. His son Richard changed the spelling of his surname to Waldron. Major Waldern was killed by the Indians, June 27, 1689. Memoirs of him are printed in the Collections of the New Hampshire Historical Society, Vol. II. (1827), pp. 40-47; and Vol. VIII. (1866), pp. 332-341.

225 The warrant is printed in New Hampshire Documents, by J. S. Jenness,

206 Letters from Chamberlain to Wil-

liam Blathwayt, dated Portsmouth, May 14, 1681, and to the Lords of Trade and Plantations May 16, 1681, containing unfavorable reports of what had been done in New Hampshire since his arrival, are printed in New Hampshire Documents, by J. S. Jenness, pp. 90-99. A Narrative of the Proceedings of the Council of New Hampshire upon the receipt of his Majesty's Commission, on the same side, read in the Privy Council September 6, 1681, is printed in that volume, pp. 104-108. On the other fide are a letter from the Council of New Hampshire to the Lords of Trade and Plantations, dated May 7, and a report to the king, also from the Council, dated May 31, 1681, printed in the same volume, pp. 87-89, 99-104. The letters of Chamberlain were probably taken to England by Mason.

Beverly presented a petition in relation to this matter to the General Court of Massachusetts, at an adjourned session February 22, 1680-1. They state that they had held "above fifty years' possession, and entered upon the place with the good liking of the Indians, the ancient inhabitants of the country," and had "adventured their lives and estates, and worn out much time and strength in subduing a wilderness," and defending their property in the late Indian war; during which fifty years "neither Mr. Mason nor any for him did either take possession, or disburse estate, or make demand of our lands, or expend one penny to defend them." They call attention to the injustice of being "put to the charges of fending our deeds and evidences three thousand miles before any demand of Mr. Mason on the place to try" the cases. They ask that their case and their prayer to be tried on the place may be laid before the king in council.287

The king in his letter commanded the colony to fend agents within three months to make answer to certain complaints against it, and also to the claim of Robert Mason to lands within its jurisdiction. Major-General Daniel Gookin addressed a letter to Gov. Bradstreet and the other members of the committee for drawing up instructions for agents to be fent to England, producing strong arguments against the colony's fending agents.²⁸⁸ None were fent that year,

but

Beverly, in Massachusetts Archives, Vol. III. pp. 29, 30. The king's letter of September 30, 1680, was ordered by the General Court, January 12, 1680-1, to be transcribed and delivered to "the Major

287 Petition of the Inhabitants of tertennants within the precincts of Mr. Mason's now clajme, of his majestjes pleasure conteyned in sajd letter."-Massachusetts Colony Records, Vol. V.

p. 303.

The letter of Major-General Goo-Generall and magistrates of the county kin to Gov. Simon Bradstreet is printed of Essex, to make signification, vnto the in full in the New England Historical but the matter of the ter-tenants on Mason's claim was considered at the annual Court of Elections, May, 1681. A letter was addressed to Sir Lionel Jenkins, one of the principal secretaries of state of Great Britain, which letter is entered on the record of that court, informing the home government that the king's commands in regard to those who held lands south of the Merrimac had been published in all the villages on that side of the river, but that there was a difficulty in ascertaining the limits of Mr. Mason's claim, and that statements in the behalf of the ter-tenants would be presented, which it was hoped would prove that claim to be groundless. 400

The following year Joseph Dudley and John Richards were sent to London as agents of the colony. They were chosen at the session which began in February, 1681-2, sailed for England May 31, 1682, and arrived there on the 20th of August following. They took a letter to the king from Gov. Simon Bradstreet in behalf of the colony, and a petition from the inhabitants of "Gloucester alias Cape Anne," and other places adjacent. In the letter the petition of the tertenants is commended to the attention of his Majesty, and his favor is asked in behalf of the people who had held uninterrupted possession of their lands "for more than sifty yeares." The petitioners themselves in their address ask the king to interpose his royal authority that Mr. Mason may cease to molest them in their lawful rights, or that Mason be

and Genealogical Register, Vol. II.

(1848), pp. 168-171.

Mass. Archives, Vol. III. p. 31.

Mass. Colony Records, Vol. V. p. 312.

History of Massachusetts, by T. Hutchinson, Vol. I. p. 335.

Hutchinson, Vol. I. p. 335.

242 Andres Traits, Prince Society,
Vol. III. p. 216.

directed to make his claim in "your Majesty's Courts of Justice here established," according to the decision of the Lords Chief Justices, approved by the Lords of Trade and Plantations, and "confirmed by your facred majesty in council on the 20th day of July, 1677." 248

It is probable that the inhabitants of that part of Essex County which is within the limits of the territory of the Mariana patent were not actually disturbed in the possession of their lands. Charles II., indeed, on the 23d of June, 1682, issued a mandatory letter to the Governor and Company of Massachusetts Bay requiring that Robert Mason be admitted to prosecute his right before the courts of judicature of that "corporation;" and that if Mason should lay claim to any lands that were not improved by any individual.

248 The letter and the petition with all the fignatures are entered on the records of the session of the General Court which began February 15, 1681-2, and are printed in the Maffachusetts Colony Records, Vol. V. pp. 333-336. The inhabitants within Mason's claim were ordered, June 2, 1681, to manage their own defence. In March, 1681-2, the General Court ordered that the fecretary "advise Major Generall Dennison that they are not willing that the original evidences or deeds referring to any towne supposed within Mr. Mason's new claim be transmitted for England, and therefore that the address be new framed and figned by the inhabitants of Cape Ann only, wherein may be urged the purchase of the natives, peaceable posfession fifty years, the determination of the Lords Chief Justices, confirmed in his Majesties Council, that the trial be in his Majesties Court upon the place; the uncertainty of Mr. Mason's claim; avoiding that clause wherein you say that thousands will be brought to distress unless we confess judgment against ourfelves; and that the faid Major be entreated to draw the faid address, and to transmit it to this court if sitting or [to any Court which] shall sit before our Agents shall goe for England, or to the Governor and Council in their absence, to be allowed of." Afterwards it was learned that Peter Bulkley defired to prepare the address, and the order was amended fo that he was requested to draw up the address subject to the same Vide Massachusetts Arapproval. chives, Vol. III. p. 32. It feems that the colony paid £10 to John Hall to "encourage him to present the address of the tertennants" to the Privy Coun-

²⁴⁴ Vide the king's letter to the Governor and Company of Massachusetts Bay, in New Hampshire Provincial Papers, Vol. I. pp. 451-453.

vidual, the Governor and Company were directed to "proceed to put the faid Robert Mason into possession of those lands, and cause his title to be recorded." In compliance with the king's order, the General Court of Massachusetts, on the 30th of March, 1683, authorized William Stoughton, Peter Bulkley, and John Hall, and "such other magistrates in Essex as are vnconcerned in Mr. Mason's case," to keep a county court there for the trial of those cases that "refer to the claim of Mr. Mason" in that county. Mr. Tuttle had searches made among the records and siles of the courts of Essex County; but, as he informed the Hon. Charles L. Woodbury, he could not learn that any suits to recover lands in that county had ever been brought either by the Masons or by Allen. Ms.

I have not found the date of Mason's arrival in England; but it was probably in the summer of 1681. A petition from him to the Lords of Trade and Plantations was read to that board November 10, 1681. Belknap gives this account of his proceedings:—

Experience having now convinced Mason that the government which he had procured to be erected was not likely to be administered in a manner savorable to his views, he made it his business, on his return to England, to solicit a change; in consequence of which it was determined to commission Edward Cransield, Esq., lieutenant-governor and commander-in-chief of New Hampshire. By a deed

[January 25, 1681-2]

which Waldern and other members of the government have opposed Mason's claims, and requests that this statement be laid before the king. Mason also makes certain requests to aid him in establishing his claims.

V. p. 398.
Wide ante, pp. 50, 51.

The petition is printed in New be laid before the kir Hampshire Documents, by J. S. Jenness, makes certain request pp. 109-113. It states the manner in establishing his claims.

[January 25, 1681-2] enrolled in the Court of Chancery, Mason surrendered to the king one-fifth part of the quit-rents which had or should become due. These, with the fines and forfeitures which had accrued to the crown since the establishment of the province, and which should afterwards arise, were appropriated to the support of the governor. But this being deemed too precarious a foundation, Mason, by another deed, mortgaged the whole province to Cransield for twenty-one years, as security for the payment of one hundred and sifty pounds per annum, for the space of seven years. On this encouragement Cransield relinquished a prositable office at home, with the view of bettering his fortune here. 248

Near the middle of August, 1682, Cransield, who was probably accompanied by Mason, left Plymouth, England, in his Majesty's ship Lark, and on Sunday, October 1, arrived at Salem, Massachusetts. He proceeded overland to Portsmouth, New Hampshire, where he arrived at night on the 3d of that month. He brought with him a commission from the king, dated May 9, 1682, appointing him lieutenant-governor and commander-in-chief, with ten persons, at the head of whom was "Robert Mason, proprietor," for the Council. The members of the old Council were reappointed, with the exception of Christopher Hussey and Samuel Dalton, in whose stead Richard Chamberlain and Walter Baresoot were named.

Cranfield called a meeting of the Council the next day at the house of George Snell, at which he took the oath of office, as did also Mason and the rest of the Council named

248 History of New Hampshire, by lieutenant-governor, etc., is printed in J. Belknap, Vol. I. pp. 188, 189.

New Hampshire Provincial Papers, Vol. I. pp. 433-443.

in

in the commission, except Job Clement, who, if not then dead, died before the close of the month. Belknap gives this account of Cransield's proceedings:—

Within fix days Waldron 250 and Martyn were suspended from the Council on certain articles exhibited against them by Mason. This early specimen of the exercise of power must have been intended as a public affront to them, in revenge for their sormer spirited conduct; otherwise their names might have been lest out of the commission when it was drawn. 261

The people now plainly faw the dangerous defigns formed againft them. The negative voice of a governor, his right of suspending counsellors and appointing officers by his own authority, were wholly unprecedented in New England; and they had the singular mortification to see the crown not only appointing two branches of their legislature, but claiming a negative on the election of their representative in a particular case, which might sometimes be essentially necessary to their own security. They well knew that the sole design of these novel and extraordinary powers was to facilitate the entry of the claimant on the lands which some of them held by virtue of grants from the same authority, and which had all been fairly purchased of the Indians.

An Affembly, being summoned, met on the 14th of November. Belknap proceeds:—

Cranfield, who made no fecret of his intention to enrich himself by accepting the government, on the first day of the Assembly restored

²⁵⁰ Dr. Belknap, from whom we are quoting, and most modern writers, spell Major Waldern's surname Waldron, as his son Richard and his descendants spell the name.

²⁵¹ It appears from Lieut.-Gov. Cranfield's report to the Lords of Trade and

Plantations, October 23, 1682, that he was required by his Majesty's instructions to suspend Messer. Waldern and Martyn. Perhaps they were named in the commission to prevent them from obstructing the organization of the new government.

reftored Waldron and Martyn to their places in the Council; having, as he faid, examined the allegations against them and found them insufficient. In return for this show of complaisance, and taking advantage of his needy situation, the Assembly having ordered an affessment of five hundred pounds, appropriated one half of it as a present to the governor, hoping thereby to detach him from Mason, who, they knew, could never comply with his engagements to him. Preferring a certainty to an uncertainty, he passed the bill (December 1), though it was not presented to him till after he had given order for adjourning the court, and after Mason, Baresoot, and Chamberlain had withdrawn from the Council. 252

Whether the action of the Assembly had the defired effect on Cranfield or not, it is certain that his reports to the Lords of Trade and Plantations, October 23 and December 1, 1682, are more favorable to Waldern and his affociates than to Mason.258 His agreement with the Assembly was, however, of short duration. On February 14, 1682-3, he called, by advertisement, upon the inhabitants "to take out leases from Mason within one month; otherwise he must, pursuant to his instructions, certify the refufal to the king, that Mason might be discharged of his obligation to grant them. Upon this summons, and within the time fet, Major Waldron, John Winget, and Thomas Roberts, three of the principal landholders in Dover, waited on the governor to know his pleasure, who directed them to agree with Mason. They then retired into another room where Mason was, and proposed to refer the matter to the governor, that he might, according to his commission,

J. Belknap, Vol. I. pp. 190–193. field, the lieutenant-governor, are printed in New Hampshire Documents, by J. S. gas These reports of Edward Cran-

mission, state the matter to the king for his decision. This proposal Mason rejected, saying that unless they would own his title he would have nothing to do with them. . . . His refusal to accede to it was a capital mistake, as it lest both him and Cransield exposed to the charge of disobedience." Through the exercise of his prerogatives, the lieutenant-governor soon after remodelled the Council and the courts. A writ against Waldern was issued October 8, 1683, the trial to be held at Great Island on the first Tuesday in November. Belknap gives this account of the trial:—

Things being thus prepared, Mason began his lawfuits by a writ against Major Waldron, who had always distinguished himself in opposition to his claim, for holding lands and felling timber to the amount of four thousand pounds.256 The major appeared in court and challenged every one of the jury as interested persons, some of them having taken leases of Mason, and all of them living upon the lands he claimed. The judge then caused the oath of voire dire to be administered to each juror, purporting "that he was not concerned in the lands in question, and that he should neither gain nor lose by the cause." Upon which the major said aloud to the people present, "that his was a leading case, and that if he were cast they must all become tenants to Mason; and that all persons in the province being interested, none of them could legally be of the jury." 257 The cause, however, went on; but he made no defence, afferted no title, and gave no evidence on his part. Judgment was given against him, and at the next Court of Session he was fined five pounds for "mutinous and feditious words." Suits were inftituted against all

16

£3,000.

251 MS. in the files, is the authority of the Rev. Dr. Belknap, as given in the margin.

J. Belknap, Vol. I, pp. 196, 197.

The writ is printed in New Hampshire Provincial Papers, Vol. I. pp. 467,
468.

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the principal landholders of the province, who, following Waldron's example, never made any defence. . . Executions were iffued, of which two or three only were levied; but Mason could neither keep possession of the premises nor dispose of them by sale, so that the owners still enjoyed them.²⁵⁸

Only one of the cases, that of William Vaughan, was appealed to the king, and this was decided in Mason's favor, the appeal being dismissed and the former judgment confirmed. Finding so much difficulty in afferting his claims to the settled portions of the province, Mason endeavored to lay a soundation for realizing his claim to the waste lands. His confirmation, April 15, 1686, of the "Million Acre Purchase" of Jonathan Tyng and others, and his lease, May 15 of that year, to Hezekiah Usher, for one thousand years, of the mines, minerals, and ores in New Hampshire, are instances.

The inauguration of a new government for New England, May 25, 1686, with Joseph Dudley at the head, as President of the Council, terminated the provincial government of New Hampshire. Mason and his kinsman Randolph were both members of Dudley's Council, and were active partisans. In a few weeks, however, Mason, who had been summoned to England to attend the hearing of Vaughan's appeal to the king, sailed from Boston as the bearer of addresses from the Council of New England to his Majesty James II. and to the Lords of Trade and Plantations. He left on the 12th of June, 1686, in Capt Jenner's ship, which had been ordered to stay for him. Vaughan's appeal was dismissed.

J. Belknap, Vol. I. pp. 198-200. 250 Council Records, in manuscript, June 1 and 2, 1686.

dismissed, and the former judgment confirmed with costs in favor of Mason. November 6, 1686.

Robert Mason remained abroad till the next spring, when he returned to Boston in season to take his seat at the Council board May 21, 1687.200 Sir Edmund Andros was then governor of New England, and had been fince the previous December. Mason found, however, "his views obstructed in a manner little expected. The government was in the hands of a fet of harpies who looked with envy upon the large share of territory that he claimed, and were for parcelling it out among themselves. The new judges delayed iffuing executions on the judgments which he had formerly recovered, and the attorney-general Graham would not allow that he had power to grant land by leases. This confirmed the people in their opinion of the invalidity of his claim, and rendered them, if possible, more averse from him than they ever had been. At length, however," July 13, 1688, "he obtained from Dudley, the chief justice, a writ of certiorari,261 directed to the late judges of New Hampshire, by which his causes were to be removed to the supreme court of the whole territory, then held at Boston. But before this could be done, death put an end to his hopes, and relieved the people for a time of their fears." He died at the age of fifty-three, at Kingston, New York, September 6, 1688, while attending Sir Edmund Andros.

260 Council Records, in manuscript, May 21, 1687. The record fays that Robert Mason had " lately arrived from England."

261 The writ, which is addressed to Walter Barefoot, Nathaniel Fryer, and Henry Green, Efgrs., lately Justices of J. Belknap, pp. 236, 237.

the Court of Pleas in the Province of New Hampshire now in the Territory and Dominion of New England, is printed in New Hampshire Provincial

Papers, Vol. II. pp. 533, 534.
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Sir Edmund Andros, as a member of his Council, on a journey from New York to Albany.²⁶⁸

The Revolution in England occurred a few months after Mason's death. It was not to be expected that his sons, who inherited his claims, would find the hearty support from the new sovereigns which his father had received, though it benefited him little, from the last two kings. Accordingly, on the 27th of April, 1691, John Tuston Mason and Robert Tuston Mason 264 sold the title which they inherited from their great-grandsather, Capt. John Mason, for £2,750, "lawful money of England," to Samuel Allen, 265 a merchant of London, the entail being previously docked by a fine and recovery in the Court of King's Bench. Allen was in favor with the new government of England, and the next year, March 7, 1692, 266 was appointed governor of New Hampshire,

208 The letter from which the following is an extract is found in the Massachusetts Archives, Vol. CXXIX. p. 182:—

FORT ALBANY, ON HUDSON RIVER, Sept. 12, 1688.

SIR,—I wrote you from New York and from Philadelphia, and fend this by a veffel from New York to Bofton, which ferves only to acquaint you of the death of my coufin Mason, who dyed the 6 instant, and was buried at Kingstone upon this river. He was much troubled at the Great delayes in his business, occasioned by his pretended friend, Mr. Dudley. His Excellence is much concerned for his losse. We will do the best we can for his poor children. . . .

[Signed] EDWARD RANDOLPH.

264 These two sons of Robert Mason probably did not add the surname Mason to their names till after the death of their father. At least as late as July, 1686, while Robert Mason was absent

on his passage from Boston to London, his eldest son, John, petitioned President Dudley and his Council on his father's business, and signed himself simply "John Tuston." The petition was acted upon July 20, 1686. It seems that they were more proud of their Tuston than of their Mason blood.

²⁸⁵ The deed to Allen, April 27, 1691, is printed in *New Hamp/hire Provincial Papers*, Vol. II. (1868), pp. 535-540. A previous deed was taken by Allen, October 14, 1690, of which a manuscript copy is in the possession of the Hon. Charles L. Woodbury. *Vide* foot-note

46, ante, p. 51.

266 The commission, which names Allen as governor, Usher as lieutenant-governor, and the several members of the Council, is printed, with the Instructions to Governor Allen, in New Hamp-shire Provincial Papers, Vol. II. pp. 57-69.

Hampshire. John Usher, who was then or became afterwards his fon-in-law, was at the fame time appointed lieutenantgovernor, and, August 13, 1692, assumed the government of the province.267 Allen did not come to New England till 1698, and he held the office of governor less than a year after his arrival.

The new owner of the claim pursued the same course as Mason, and, though like him generally supported by the home government, met with no better success. A test case, Allen vs. Waldron, was not decided till after the death of Governor Allen, who died at Newcastle, New Hampshire, May 5, 1705, in his feventieth year. The case was continued by Thomas Allen, fon of Governor Allen, and was decided in favor of the defendant August 12, 1707. "The counsel for Allen moved for an appeal to her Majesty," Queen Anne, "in council, which was allowed on their giving bond in two hundred pounds to profecute it. But the loyalty of the people, and the diffresses under which they labored by reason of the war, prevailed on the queen's ministry to sufpend a final decision; and before the appeal could be heard, Allen's death, which happened in 1715, put an end to the fuit, which his heirs, being minors, did not renew." 269 statement in favor of the Allen claim was printed in Boston in

261 New Hampshire Provincial Papers, Vol. II. pp. 70, 71.

case that the famous Wheelwright deed, May 17, 1629, was first produced. There has been much controverly as to the genuineness of this deed. Vide John Wheelwright, by the Hon. Charles H. Bell, LL.D., Prince Society (1876), pp.

²⁰⁶ The papers with the course of proceedings in the courts in this case are on file in the office of the Clerk of the Courts in Exeter, New Hampshire. A selection from these papers is printed in New Hampshire Provincial Papers, A felection from these papers is printed in New Hampshire Provincial Papers, Vol. II. pp. 514-562. It was in this J. Belknap, Vol. I. (1784), p. 328.

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in 1728,270 but nothing feems to have been done at this time by the heirs.271

The fale to Allen in 1691 was "made in England, and the lands were by a fiction of law supposed to be there, by which means the process of fine and recovery was carried on in the Court of King's Bench." 272 The brothers returned to America, and during their lives "no notice was taken of the supposed flaw, and the sale to Allen was not disputed." The eldest son, John Tuston Mason, died in Virginia without iffue. His younger brother, Robert Tufton Mason, left a fon, John Tufton, who married at Boston and resided there. He "conceived the hope of invalidating Allen's purchase and regaining his paternal inheritance; which it was fupposed could not have been transferred by his father and uncle for any longer term than their own lives. It was also faid that the fiction by which the lands were described to be within the jurisdiction of the courts of Westminster Hall rendered

31) A Short Narrative of the Claim, Title, and Right of the Heirs of the Hon. Samuel Allen, Esq., to the Province of New Hampshire, 4to, pp. 13. The narrative is preceded by a "Letter from a Gentlewoman in London to her friend in New England." It is dated July 2, 1728, and figned I. A. No date of publication is given, but in the *Hiftory of Printing*, by Isaiah Thomas, 2d ed. (1874), p. 112, it is placed under

1728.
271 Fuller details of the attempts of Mason and Allen to obtain possession of lands in New Hampshire will be found in History of New Hampshire, by J. Belknap, Chapters VI. to XI.; and the Memoirs of William Vaughan and Nathaniel Weare, by the Hon. Samuel Proprietary Office.

D. Bell, in the New Hampshire Historical Society's Collections, Vol. VIII. (1866), pp. 318-325, 380-394. Documents relating to the subject will be found in New Hampshire Documents, by J. S. Jenness, pp. 54-160; New Hampshire Provincial Papers, Vols. I. (1867) and II. (1868); and in the New Hampshire Historical Society's Collec-tions, Vol. VIII.

was then docked, the fituation of the land is expressed in these words: "In New Hampshire, Main, Masonia, Laconia, Mason-hall, and Mariana in America, in the parish of Greenwich." Foot-note by Belknap, who quotes as his authority a manuscript in the

dered the proceedings void, and therefore that the entail was still good. Filled with these ideas he made strenuous exertions to acquire money to affish him in realizing his expectations; but died in the midst of his days" in 1718, "at the Havanna, whither he had made a voyage with this view." The left three sons.

John Tufton, the eldest of these sons, was born in Boston, Massachusetts, April 27, 1713, and was bred to a mechanical employment. He became of age in 1734, and about this time added the surname Mason, the better to enable him to inherit the Mason property. Soon after this, active measures were begun to settle the boundary line between Massachusetts and New Hampshire. Belknap gives this account of the part that Mason took in the controversy:—

He inherited the enterprifing spirit of his ancestors, and the public controverfy called his attention to his interest. On this young man the [Maffachusetts] politicians cast their eyes; and having consulted counsel on the validity of his claim and the defect of the transfer, they encouraged him to hope that this was the most favorable time to affert his pretensions. Had they purchased his claim at once, they might doubtless have obtained it for a trifle, and have greatly embarrassed the views of their antagonists. Instead of such a stroke of liberal policy, they treated with him concerning the release of all those lands in Salisbury, Amesbury, Haverhill, Methuen, and Dracut, which the line would cut off; and for five hundred pounds currency obtained a quitclaim of twenty-three thousand six hundred and feventy-five acres. They also [July 1, 1738] admitted his memorial to the Assembly; in which he represented to them that his interest might probably be affected by the final determination of the line, and praying that the Province would be at the expense of his voyage

²¹⁸ History of New Hampshire, by J. Belknap, Vol. II. (1791), pp. 159, 160.

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to England to take proper measures for securing it. To this they consented, on condition that he should prove his descent from Capt. John Mason, the original patentee. Depositions were accordingly taken in both provinces, to which the public seals were affixed; and they put him under the direction of their agents, ordering his expenses to be paid, as long as they should judge his presence in England would be serviceable to their views.

The agents stated his case to their counsel, the king's solicitor, and asked his opinion how they should proceed; but he advised them not to bring him to view, lest the Lords should think it an artissice intended to perplex the main cause. On this consideration they dismissed him from further attendance, and paid his expenses, amounting to above ninety pounds sterling. Such a transaction, though conducted as privately as the nature of the thing would admit, did not escape the vigilance of Thomlinson [the agent of New Hampshire], who, on finding Mason detached from the agents of Massachusetts, entered into an agreement with him for the release of his whole interest to the Assembly of New Hampshire, in consideration of the payment of one thousand pounds currency of New England. This manœuvre served to strengthen the interest of New Hampshire, and Thomlinson was much applauded for his dexterity.²⁷⁴ . . .

After Thomlinson had engaged with Mason for the purchase of his title, nothing more was heard of it till the controversy respecting the lines was finished, and Wentworth was established in the seat of government and in the office of surveyor of the woods. The agreement which Thomlinson had made was in behalf of the representatives of New Hampshire; and the instrument was lodged in the hands of the governor, who sent it [October 30, 1744] to the House for their perusal and consideration. It lay on their table a long time without any formal notice. Quickening messages were sent time after time; but the affairs of the war, and Mason's absence at sea and in the expedition to Louisburg, where he had a company, together with

274 History of New Hampshire, by J. Belknap, Vol. II. (1791), pp. 160-162.

with a difinclination in the House, which was of a different complexion from that in 1730, prevented anything from being done.

In the meantime Mason suffered a fine and recovery, by which the entail was docked in the courts of New Hampshire, and he became entitled to the privilege of felling his interest. He also prefented a memorial to the Affembly, in which he told them that he should wait no longer; and unless they would come to some resolution he should take silence as a refusal. Intimations were given that if they would not ratify the agreement, a fale would be made to other parties, who stood ready to purchase. At length the House came to a resolution, "that they would comply with the agreement and pay the price, and that the lands should be granted by the General Affembly to the inhabitants as they should think proper." A committee was appointed to treat with Mason about sulfilling his agreement, and to draw the proper instruments of conveyance; but he had on the same day, by deed of sale, for the sum of sifteen hundred pounds currency, conveyed his whole interest to twelve persons in fifteen shares.275

The history of the property after it passed into the hands of the Masonian Proprietors, as these persons were called, need not be given here. The purchasers were Theodore Atkinson, who held three shares; Mark Hunking Wentworth, who held two shares; and Richard Wibird, John Wentworth, George Jaffrey, Nathaniel Meserve, Thomas Packer, Thomas Wallingford, Jotham Odiorne, Joshua Peirce, Samuel Moore, and John Moffat, who held one share each. The deed was dated January 30, 1746.276 In

History of New Hampshire, by J. was confined to the lately established

Belknap, Vol. II. (1791), pp. 258–260.

Second deed comprehending all the Mariana grants from Naumkeag to Pascataqua, whereas the former deed boundaries of New Hampshire. This latter deed was not recorded till 1753.

The new territory is chiefly comprised in the Mariana grant.

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In April, 1785, Gen. John Sullivan, of Durham, New Hampshire, attorney to the heirs of Samuel Allen, advertifed, under date of April 10, in the "New Hampshire Gazette," that the heirs of Allen, and others claiming in their right, had "incorporated themselves into a Propriety," or affociation, for afferting their claim to the waste lands of New Hampshire under the Mason patent, and that those who had made improvements on faid lands could be "quieted in their possessions," while other purchasers could have lands on reasonable terms. All persons were cautioned against "making purchases or improvements in the right of any other persons." The Masonian Proprietors replied in an advertisement, dated Portsmouth, April 12, 1785, which also appeared in the "Gazette," and which was figned by Woodbury Langdon, George Atkinson, William Whipple, and John Peirce, a committee of those who claimed under John Tufton Mason. In it people were cautioned against purchasing under the "pretended right" of the heirs of Allen.²⁷⁷ The warning of the Allen claimants does not feem to have been of much fervice, for those who held under the Masonian Proprietors maintained their possessions.

277 Vide New Hampshire Gasette, April on the recognition of Allen's purchase 22, 1785, where both advertisements appear. Those who claimed the lands under the purchase by Allen "depended" J. Belknap, Vol. II. p. 265.







INTRODUCTION

TO

CAPTAIN JOHN MASON'S "BRIEF DISCOURSE."



HIS tract, entitled "A Briefe Discovrse of the Nevv-found-land," was first printed at Edinburgh, Scotland, in 1620, by Andro Hart, and was reprinted in 1867, by the Bannatyne Club, in a volume edited by David Laing,

LL.D., entitled "Royal Letters, Charters and Tracts, relating to the Colonization of New Scotland and the Institution of the Order of Knights Baronets of Nova Scotia." It is also reprinted in the following pages. No copy of the original edition, as far as I can ascertain, is to be found in this country. In fact, the tract is fo rare that Dr. Laing flated that he knew of only three copies.

In his Preface Dr. Laing gives a sketch of the early history of Newfoundland, from which some extracts will be made. After noticing the voyage of John Cabot and his fons in 1497,²⁷⁸ he proceeds:— Nearly

To a good account of the dif-coveries of the Cabots and the fources of information on the fubject, see The Justin Winfor, Vol. III. (1884), pp. Voyages of the Cabots, by Charles 1-58.

Nearly a century later Sir Humphrey Gilbert, with a comprehensive patent granted by Queen Elizabeth, took possession of Newsoundland; and various settlements were attempted at subsequent times, among others, by Alderman Guy of Bristol in 1609, by Captain Whitbourne in 1615, by William Vaughan, Captain Mason, and others. John Guy was governor of the English Colony there, and remained with his family for two years. Purchas, in his "Pilgrimes," has given the chief part of a patent granted by King James, together with a letter from Guy, to the Council of the Newsoundland Plantation, dated at Cuper's Cove, 16th May, 1611.

But the person who was most successful in directing the attention of the people of England to this fettlement was Captain Richard Whitbourne of Exmouth. He states that he became an adventurer into foreign countries at fifteen years of age, was captain of a vessel of his own in 1588, and rendered good fervice at the time of the Spanish invasion. Having been employed more than forty years in making voyages to and from the island, he says, as "for the Newfoundland, it is almost so familiarly known to me as my owne contrey." He was the author of "A Discourse and Discovery of Newfoundland," Lond., 1620, 4to; "A Discourse, containing a loving Invitation," &c., Lond., 1622, 4to; and a republication of both, with alterations and additions, in the same year. In a letter addressed to George Duke of Buckingham, in 1626, Whitbourne states that his "Large Discourse" had been presented to King James, and that his Majesty had ordered it to be printed, and distributed in every parish throughout England, to show the benefits of settling a plantation in Newfoundland.

Captain John Mason, on the other hand, addressed himself to his friends in Scotland, and his account of Newsoundland may have largely influenced the proposed schemes for founding colonies on the continent, in Nova Scotia. He seems to have been a native of England, 279 but his name first occurs in the years 1610 and 1611, when

²⁷⁹ Capt. John Mason was born at was baptized there on the 11th of De-King's Lynn, in Norfolk, in 1586, and cember. — Ante, pp. 8 and 34.

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engaged on the west coast of Scotland, along with Andrew Knox, Bishop of the Isles, in attempting to curb the restless and predatory disposition of the islanders. In this enterprise Captain Mason was employed for fourteen months, and must have possessed means to have defrayed considerable expense, amounting to £2,238 sterling, which still remained due in 1629, as we learn from his Declaration.²⁸⁰

Being of an active, enterprifing disposition, Mason, who was for fome time governor of Newfoundland, undertook a careful furvey of the island. In a letter addressed "To the right worshipfull Mr John Scot of Scottisterbatt, in Scotland, Director to His Majesties Court of Chancery there, at his house on the Cawfy of Edenborough," he promifes to fend him some account of his discoveries. The letter is dated "from the plantacion of Cuper's Cove in Terra Nova, ult. Augusti 1617." After alluding to the various hindrances to his duty. he expresses the hope that "I shall affoord you a Mapp thereof [Newfoundland], with a particular relacion of their feverall parts, natures, and qualities." He then continues: "I am now a fetting my foote into that path where I ended last, to discover to the westward of this land; and for two months absence, I have fitted myselfe with a small new galley of 15 tonnes, and to rowe with fourteen oares (having loft our former). We shall visite the naturalls [natives] of the country, with whom I purpose to trade, and thereafter shall give you a tast of the event, hoping that withall Terra Nova will produce Dona Nova, to manifest our gratificacion. Untill which tyme, I rest and shall remayne Tuus dum suus, John Mason." 281

The "Brief Discourse" which Mason sent to Sir John Scot was published by the latter at Edinburgh in 1620. The original tract, now reprinted, consists of seven leaves, and is so rare that only three copies are known to be preserved. . . .

In 1628 there appeared a quaint bombastic work, entitled "Quodlibets.



²⁶⁰ This Declaration will be printed in this volume. *Vide* LETTERS, 1629, "Declaration," &c.

²⁵¹ This letter will be printed in this volume. *Vide* LETTERS, August 31, 1617.

Among the persons who had undertaken to plant large circuits in the southern part of "the island, commonly called the Newsoundland," was this William Vaughan of Tarracod, in the county of Carmarthen, Doctor of the Civil Law. Under the assumed name of Orpheus Junior, he published at London, in 1626, a fantastic work, entitled "The Golden Fleece... Transported from Cambrioll Colchos, out of the southernmost part of the island, commonly called the Newsoundland, by Orpheus Junior, for the general and perpetuall good of Great Britains." London, 1626, 4to. He mentions in terms of high commendation Captain Mason, Sir William Alexander, and other adventurers; and gives an engraved map of the Island, by Captain Mason.

Mason's residence in Newsoundland was at Cuper's, or Cupert's, now Mosquito, Cove, in Conception Bay, where a sew years before his arrival a settlement had been made, as Dr. Laing states, by Mr. John Guy of Bristol, subsequently Mayor of that city. This was the first permanent plantation on the island; and Mr. Guy and his English colony

are

282 Dr. Laing prints the lines addressed to Capt. Mason and his wise and to Sir William Alexander, and adds: "Hayman addresses verses to other persons connected with New Foundland, such as: 'To the right worthy, learned, and wise Master William Vaughan, chief Vndertaker for the Plantation in Cambrioll, the Southermost part of New-

found-Land, who with penne, purse, and person hath, and will proue the worthines of that enterprise.' Also, 'To the same industrious Gentleman, who, in his Golden-Fleece, styles himself Orpheus Junior.'" The verses to Capt. Mason and his wise are printed as a foot-note to Mr. Tuttle's Memoir of Mason in this volume, ante, p. 14.



are faid to have been the first Europeans to winter there, and "make it apparent to the world that it was habitable and commodious for the use of mankind." Mr. Guy spent two winters at the plantation. The colony was fent out by a corporation entitled "The Treasurer and the Company of Adventurers and Planters of the Citie of London and Briftol for the Colony or Plantation in Newfoundland." By letters-patent dated April 27, 1610, King James I. granted to this company the territory between Cape Bonavista and Cape St. Mary, and all the seas and islands within ten miles of the coast from latitude 46° to 52° N. The grantees were the Earl of Northampton, Sir Francis Tanfield, Sir Francis Bacon, and forty-five other affociates. 2008 Mr. John Slany of London was treasurer.294 The Rev. Samuel

288 The Charter is printed in Purchas his Pilgrimes, by the Rev. Samuel Purchas (1625), Vol. IV. pp. 1886, 1887. The grantees were, Henry, Earl of Northampton, Keeper of the Privy Seal; Sir Lawrence Tanfield, Baron of the Exchequer; Sir John Doddridge, Sergeantat-law; Sir Francis Bacon, Solicitor-General; Sir Daniel Dun, Sir Walter Cope, Sir Percival Willoughby, Sir John Constable, Knights; John Weld, Esq.; William Freeman, Ralph Freeman, John Slany, Humphrey Slany, William Turner, Robert Kirkham, Gentlemen; John Weld, Gentleman; Richard Fishburne, John Browne, Humphrey Spencer, Thomas Juxon, John Stokely, Ellis Crifpe, Thomas Alport, Francis Needham, William Jones, Thomas Langton, Philip Gifford, John Whittingham, Edward Allen, Richard Bowdler, Thomas Jones, Simon Stone, John Short, John Vigars, John Juxon, Richard Hobby, Robert Alder, Anthony Haveland,

Thomas Aldworth, William Lewis, John Guy, Richard Hallworthy, John Langton, Humphrey Hooke, Philip Guy, William Meridith, Abram Jenings, and John Doughtie.

Purchas (1625), Vol. IV. pp. 1876-1891; A Discourse and Discovery of Newfoundland (1620), p. 25; The Golden Fleece, by Orpheus Junior (Sir William Vaughan) (1626), Part III. p. 27; Newfoundland in 1842, by Sir Richard Henry Bonnycastle (1842), Vol. I. pp. 67-69; Catechism of the History of Newfoundland, by William Charles St. John (1855), pp. 15-18. In the first-named work Rev. Mr. Purchas prints letters written from Newfoundland to John Slany by John Guy, dated May 14, 1611, and July 29, 1612 (vide Purchas his Pilgrimes, Vol. IV. pp. 1877-1880). He prints also the Relation of Capt. Richard Whitbourne (vide pp. 1882, 1883), from that author's printed book.

Samuel Purchas, in his "Pilgrimage," gives this account of the colonization of Newfoundland:—

It is with-in-land a goodly Countrey, naturally beautified with Roses, sowne with Pease, planted with stately trees, and otherwise diversified both for pleasure and profit. And now our English Nation doe there plant and fixe a settled habitation: a chiese actor and author of which businesse is Mr John Guy of Bristow, who in the yeere 1608. Sayled from Bristow in three and twentie dayes to Conception Bay 286 in Newfound-Land. Of this Plantation and their wintrings, and Continuance there I have seene divers Relations with Mr. Hakluyt written by Mr Guy, William Colston &c.

In the yeere 1611 in October and November, they had scarsly six dayes frost or snow, which presently thawed, the rest of those Moneths being warmer and dryer then in England: December was also sayre, with some Frost, Snow, and Raine, The winde in these three Moneths variable, from all parts. Fanuary and February was most part Frost to mid March: the Wind most Commonly Westerly, and sometimes from the North. The Sunne often visited them with warme and comfortable rayes, chasing away the Snow, and not suffering the Brookes to bee frozen ouer three nights with ice able to beare a Dogge. The Snow was neuer (except in drists) aboue 18 inches deep. They had there 200 Filberds, Fish, Makerels, Foxes, in the Winter: Partridges, white in the Winter, in Summer somewhat like ours, but greater; they are much assaid of Rauens. They killed a Wolfe with a Mastiue and a Grey-hound. Eastons pyracies were some trouble to them.

Anno 1612 They found houses of Sauages, which were nothing but poles set round and meeting in the top, ten foot broad, the fire in the middest, couered with Deeres-skins. They are of reasonable stature, beardlesse, and in conditions like to those which Sir Martin Frobisher.

²⁸⁵ Concep. Bay in 48. M. Gay his ²⁸⁶ I W. Colfton. — Marginal note by letter to M. Slany. — Marginal note by Purchas.

Purchas.

Frobifher discouered: broad-faced, full-eyed, coloured on their faces apparell with red Oaker: Their Boates of barke, as in Canada, twentie foote long, foure and a halfe broad, not weighing 100, weight. made in forme of a new Moone, which carry foure men, and are by them carried to all places of their remouings. Their Patent was granted 1610, for Plantation betweene fortie fix and fiftie two, to bee gouerned by a Councell of Twelue and a Treasurer. There wintered 1612 fiftie foure men, fix women and two children. They killed there Beares, Otters, Sables: fowed Wheat, Rye, Turneps, Cole-worts, Their Winter till April 1613, was dry, and cleere with some frost and fnow. Divers had the Scuruie, whereto their Turneps, there fowne, were an excellent remedie, no lesse then Cartiers Tree hereaster mentioned. April was worse then the middest of Winter. by reason of East-windes which came from the Islands of Ice, which the current bringeth at that time from the North. The same I have seene confirmed by a letter of Thomas Dermer, one of that Colonie, dated at Cupers Coue, the ninth of September last, 1616. In other moneths, hee sayth, the Temperature is as in England, He mentions Muske-Cats and Muske-Rats in those parts; the fertilitie of the soyle in producing Peafe, Rye, Barly and Oates; probabilities of Metals; with promifes of more full Relations hereafter.287

In 1615 Capt. Richard Whitbourne of Exmouth in Devonshire, referred to by Dr. Laing, was "fent to Newfoundland with a commission from the Admiralty of England to establish order among the boisterous sishermen, and to correct the great abuses which had subsisted among them." 288 He sailed from Exeter in Devonshire, May 11, 1615,

287 Purchas his Pilgrimage or Relations of the World, by Samuel Purchas (1617), p. 930. Vide also Purchas his by Ca Pilgrimes (1625), Vol. V. pp. 822, 823. Purchas Newfoundland in 1842, by Sir R. 1883.

H. Bonnycastle, p. 73. Vide also Discourse and Discovery of Newsoundland, by Capt. R. Whitbourne (1620), p. 12; Purchas his Pilgrimes, Vol. IV. p. 1882

1615, in a bark manned and victualled at his own expense, arrived in Trinity Bay on Trinity Sunday June 4, and anchored the fame day in Trinity Harbor. Here he held a court. This he states was "the first Inquest that euer was impanelled in New-found-land." 289 He also held courts and empanelled juries in other harbors most frequented. One hundred and feventy mafters of veffels fubmitted their grievances to his jurisdiction. There were then on the coast of Newfoundland 250 fail of English ships, great and small, the tonnage amounting to more than fifteen thousand tons. The value of the train oil taken was estimated at £15,000, and the total value of oil and fish at £135,000.200

In the fame year, 1615, Capt. John Mason succeeded as governor of the plantation founded by Mr. John Guy. refided there fix years, returning to England in 1621. During his refidence other plantations were made in the island. Sir William Vaughan, D.C.L., fon of Walter Vaughan of Golden Grove, Carmarthenshire, and brother of John, first Earl of Carberry, purchased in 1616 a part of the territory granted to Lord Northampton and his affociates.²⁹¹ In 1617, as he states in his "Newlander's Cure," he transported certain colonies of men and women at his own charge. After this, finding the burthen too heavy, he affigned the northerly portion of his grant to the Right Hon. Henry Lord Cary, Vifcount Falkland, and to Sir George Calvert, the Secretary of State,

²⁸⁰ A Discourse and Discovery of by S. Purchas (1625), Vol. IV. p. 1886; expsoundland, by R. Whitbourne Newsoundland, by Sir R. H. Bonnycastle, Vol. I. p. 73.

201 Newfoundland, by R. H. Bonny-

castle, Vol. I. p. 73.

Newfoundland, by R. Whitbourne (1622), p. 64.

²⁹⁰ Discourse and Discovery of Newfoundland, by R. Whitbourne (1620), p. 12. Vide also Purchas his Pilgrimes,

State. 2022 Vaughan's fettlement, which was at the head of Trepassey Bay, was named Cambriol. It is on that part of the fouth coast named Little Britain.298

Lord Falkland, who is named by Vaughan as one of the purchasers of a portion of his territory, owned, in 1622, two tracts in Newfoundland, and fent, or made preparations to fend, colonists to his fouthern territory. This was a narrow ftrip of land only fix miles wide, extending from Renowes Harbor to the Bay of Placentia; and it lay between the plantations owned by Vaughan and Calvert. Lord Falkland's agent in London was Mr. Leonard Wellsted. The northern tract, which bears the name of North Falkland, was on Trinity Bay.294

Sir George Calvert, also named by Sir William Vaughan as a purchaser of territory from him, was a fellow student of Vaughan at Oxford University. The purchase was made about the year 1620. Calvert gave to this territory the name of Avalon. He fent out a colony under Capt. Edward Wynne, who made a fettlement at Ferryland. In April, 1623, he obtained from the king a charter of the Province of Avalon, with powers of government. The territory comprised the whole of the peninsula formed by Placentia and Trinity bays. Calvert, on the 16th of February, 1624-5, was created Baron of Baltimore, of Baltimore, in the county of Longford, Ireland. He is best known as the founder of the State of Maryland. In 1627 Lord Baltimore vifited

194 A Discourse containing a Loving

²⁰¹² Vide Newlander's Cure, by W. Vaughan (1630), quoted in North Ame-rican Review, Vol. IV. p. 291. pp. 3-10. This book is dedicated to Newfoundland, by R. H. Bonny-Lord Falkland. castle, Vol. I. p. 74.

visited his plantation, and in the spring of 1628 removed thither with his family, and resided there over a year, returning in the fall of 1629.206

In 1622, the year after Mason left Newsoundland, Captain Whitbourne, in the preface to the edition of his "Discourse and Discovery of Newfoundland," issued that year, gives a lift of those "who have undertaken to help and advance his Majesties Plantation in New-found-land," with notices of what each of these adventurers had done or intended to do. list comprises Lord Falkland, Sir George Calvert, John Slany. as treasurer of the Patentees, divers citizens of Bristol, and Dr. William Vaughan. Other adventurers not named are referred to.296

Mason's tract on Newsoundland was one of the earliest printed works on that island. It is also the most complete account of the situation, climate, and productions of the island which had then appeared. The author, like his contemporaries, was evidently too fanguine in regard to the refources of the island for the support of a large colony, and fpoke of its agricultural capabilities in too glowing terms. Still the work contains much reliable information relative to an island that even then had long been the resort of those engaged in the fisheries. Mr. Samuel Adams Drake, author of "Nooks and Corners of the New England Coast" and other works illustrating American history, visited the island a few

of Newfoundland, by R. Whitbourne (1622), Preface; Catechifm of the History of Newfoundland, by W. C. St. John, p. 17; Sir George Calvert, Baron of Religiouses, by Leville W. Wilhelm in of Baltimore, by Lewis W. Wilhelm, in

Maryland Historical Society's Publica-

tions (1884), pp. 114-141.

206 Discourse and Discovery of Newfoundland, by R. Whitbourne (1622), Preface. The lift is reprinted by Purchas in his Pilgrimes, Vol. IV. D. 1888.

few years ago for the purpose of familiarizing himself with the topography of the country to enable him to prepare a book upon Newsoundland, and has furnished me with the following strictures upon Mason's tract. They may be applied to other early accounts of Newsoundland.

This "Briefe Discourse," so evidently prepared for the purpose of "inciting our Nation to goe forward in that hopeful plantation begunne." partakes, we are constrained to fay, in no small measure, of that spirit of exaggeration which has at all times characterized the promoters of fchemes of colonization. This disposition to "boom" a new country at the expense of actual fact is apparent in most of the early chronicles relative to America, but is nowhere more confpicuous than in Capt. Mason's account of Newfoundland. Sir Egerton Brydges calls this habit of exaggeration a lamentable want of integrity. The final commentary upon all that Mason says, or suggests, concerning the agricultural resources of the island, is that its whole vast interior remains just as much a wilderness to-day as when first discovered, no settlement existing anywhere except on the seacoast, and only here because of the fisheries. And it is a good deal more of a question to-day than it seems to have been in 1620, even with feveral years' experience of foil and climate, whether development of the interior is practicable. If wheat, rye, barley, oats, and peafe ripened at Mosquito Cove "as well and timely as in Yorkshire in England," in Mason's time, such is not the case to-day. The island imports all its breadstuffs. In the month of August the writer saw fmall patches of oats being cut for fodder, and was told that it was usual to have frosts so early in September that there was little chance of the grain coming to maturity. All the fouthern portion of the island is a feries of barren, treeless ridges, overspread with stones and showing only the scantiest vegetation. The region is appropriately known on the island as "barrens." It is needless to add that no stone remains to identify the site of Mason's plantation.

What

142 Introduction to Brief Discourse.

What Mason has to say about the fishery of his day makes the really valuable portion of his Discourse, and we therefore sincerely regret that he did not go more fully into the details of an industry that always has constituted the wealth of the island, and is the main dependence of ninety-nine in every hundred of its inhabitants to-day.

Capt. Mason's map of Newsoundland was not published with his "Brief Discourse." It did not appear till five years later, 1625, in Sir William Vaughan's "Cambrensium Caroleia." It was reissued the next year, with slight variations, in that writer's "Golden Fleece." Mr. Tuttle calls the map the first "made from actual survey." It is one of the first, if not the first, to represent Newsoundland as a single island. The sacsimile here given is from the "Golden Fleece."

The "Brief Discourse" is reprinted in the following pages. In doing this, Dr. Laing's reprint of 1867 has been used by the compositor to set up the type; but, to insure accuracy, the proof has been sent to England and corrected by the copy of the original edition in the British Museum. The edition of 1620 consists of seven leaves, the pages of which are not numbered. Dr. Laing's reprint for the Bannatyne Club corresponds with the 1620 edition, page for page and line for line. It has not been thought advisable to attempt this in the present reprint, but pages 1 to 4 contain here the same matter as those pages in the original, while the division of the subsequent pages is clearly indicated.

207 Vide ante, p. 12.



BRIEFE DISCOVRSE of the Nevv-found-land,

with the situation, temperature, and commodities thereof, inciting our Nation to goe forward in that hopefull plantation begunne.

Scire tuum nihil est, nisi te scire hoc sciat alter.



EDINBURGH,
Printed by Andro Hart. 1620.



TO THE RIGHT WORSHIPFVLL SIR

IOHN SCOTT

of Scots-Tarvet,
KNIGHT, &c.



IR, you are like to have none other accompt for the present than such as Marchant-Factors, after bad markets returne, that is, papers for paymēt, for livers lines. The which though not so acceptable as more solide returnes, yet gives some satisfactio for the expenses of time questionable. I have sent you a

discourse of our Countrie penned at the request of friends, for the better satisfaction of our Nobilitie, vnpolished and rude, bearing the countries badge where it was hatched, onely clothed with plainnesse and trueth. I intreat your fauourable acceptation thereof, as your wonted clemencie hath beene to the Author, if you thinke it may doe good by incouraging any of your Countrie to the interprise, I am willing you publish it, other wise let it bee buried in silence as you shall thinke meetest, and esteeme mee still one of whome you have power to dispose.

IOHN MASON.



To the Reader.



OR as much as there bee fundrie relations of the New-found-land and the commodities thereof, Some too much extolling it, some too much debasing it, preferring the temperature of the aire thereof before ours, the hopes of commodities there without paines and mineralles, as if they were apparent (which as I deny to

bee a veritie, yet I affirme not to bee impossible) with other narrations dissenting from the trueth, the which although done out of a good affection, yet had they better beene vndone. I have therefore (gentle Reader) hoping of thy favourable construction, set downe in sew and plaine tearmes out of that experience I have gained in three yeares and seventh monthes residence there, the trueth, as thou shalt sinde by proofe thereof, to the which I recommend thee and vs all to his Grace, that is able and will plant those that feare him in a better Kingdome. Farewell.

Thine and his Countries in part, not whollie his owne.

IOHN MASON.



A BRIEF DISCOVRSE

of the Newfoundland, with the

Situation, temperature, and commodities thereof, inciting our Nation to goe forward in that hopefull Plantation begunne.



HE Countrie commonly knowne and called by the name of Newfoundland, albeit it is fo much frequented and reforted yearely to, by thousands of our Nation and others, which haue scarcely so much as a superficiall knowledge thereof (onely so much as concerneth their fishings excepted) is an Iland or Ilands as

fome plats have described it, situate on the front of America, betwixt 46. and 52. degrees of Northerly latitude, of the bignes of Ireland. the Eastermost side thereof bounded with the Ocean extendeth it selfe nearest North and South: the variation allowed 100. Leagues, the south face deuided from the Iles of Cap. Bretone by the Gulfe of Sainct Lowrence a straigth of 27. Leagues over lyeth West. and by North northerly, and East and by South Southerly in length 77. Leagues, on the West part imbraced by the Grand-bay stretching

stretching it selfe Northeast and Southwest 75. Leagues. and on the North confined by the Norther arme of the Grandbay which separate thit from the continent of || 2008 Noua Francia, making a fret of 7. Leagues wide, & is described by the Rhombe of W. and by North and E. and by S. 25. Leag. Almost of a Triangular forme fauing that many bays & Inlets making incroachment have disfigured the face thereof with Scars, eating into the land into 40 leagues space on the South part where we have fearched 30 as good Harbours as the world affords. The longitude thereof reackoned from the westermost part of the Insulæ fortunatæ is 330 degrees, distant in the Line of West & by the South from our Meridian 45. degrees by comon account which in the midle parallell of the differece the Latitude betwixt the lads end of England & the bodie of Newfoundland at 39, one halfe miles answerable to each degree in the same maketh 1764. miles or 588 Leagues. The aire fubtle & wholesome, the Summer seafon pleasant conforme to the like latitude in Europe, sauing that y' woodie places in Iune & Iulie are fomewhat pestered with small Flies bred of the rottenes of ruined woode & moysture like as in Russia. The Winter degenerating therfrom, being as cold & fnowy as 60 degrees in Europe, & of the like temperature in December, Ian. Febr. March, as the northermest parts in Scotland. viz. The Hebrides and the Orcades wherin I have twife wintered, or of the Coast betwixt Hamburgh & the mouth of the Sownd or Nose of Norway: yet more comfortable for the length of the day in Winter, which exceedeth theirs three houres at the leaft. And

²⁰⁸ This mark is used here and elsewhere to indicate the end of the page in the original Tract.

And albeit it be thus cold in the Winter feafon by accidentall meanes, contrarie to the naturall position thereof in the Spheare, yet is it tollerable, as by experience, so that there needs no Stoaues as in Germanie: Likewise fruitefull enough both of Sommer and Winter corne, an example for our confirmation thereof we have in Poland one of the greatest corne Countries of Europe & yet as cold and subject to freizing as Newfoundland, as also our owne experience both in Wheate, Rye, Barlie, Oates, and Peafe, which haue growen and ripened there as well and als timely as in Yorkshire in England. And for grouth of Garden herbes of diuers forts as Hysope, Time, Parfely, Clarie, Nepe, | french Mallowes, Bugloffe, Collombines, Wormewood, &c. There is at this present of 3. yeares old of my sowing, likewise Rosemary, Fenell, Sweet marierim, Bassell, Purselyn, Lettife, and all other Herbes & Rootes: as torneps, Pafnepes, Caretts, and Radishes we have found to growe well there in the Sommer feafon. The common wild herbes of the Countrie are Angelica, Violets, Mints, Scabius, Yarrow, Ferne, Sarfaparilla, with divers other forts whereof I am ignorant: But suppose would for variety and rariety compose another Herball; of these kinds we have only made vse of certain great green leaves pletifully growing in the woods, and a great Roote growing in fresh water ponds, both good against the Skiruye, and an other prettie Roote with a blew stalke and leaves of the nature of a Skirret growing in a dry Beachy ground, good meate boyled: The Countrie fruites wild, are cherries small, whole groaues of them, Filberds good, a fmall pleasant fruite, called a Peare, Damaske Roses fingle very fweet, excellet Straberries, and Hartleberries with aboundance

aboundance of Rasberries, and Gooseberries somewhat better than ours in *England*, all which replanted would be much inlarged. There is also a kinde of wild Coranies, wild Pease or Feetches in many places which we have both found good meat and medecine for the Skiruy; The Land of the North parts most mountance & woodye very thick of Firre trees, Spruce, Pine, Lereckhout, Aspe, Hasill, a kinde of stinking wood, the three formest goodly Timber and most conueniët for building. No Oakes, Ashe, Beech, or Ellmes, haue we feene or heard of; the greatest parts of the Plaines are marish and boggs, yet apt to be drawen dry by meanes of many fresh Lakes intermixt which paye tribute to the Sea; and on the brinks of these Lakes, through which the water draines away from the rootes of the Grasse, it florisheth, in the other parts of the Plaines where the water standeth and killeth the growth of the Grasse with his coldnesse it is rushie and feggy; in some parts is barren, & mossie ground, but that that is firme and dry beareth good graffe. The | Spring beginneth in the end of Aprill, & Haruest continueth while Nouember, I haue seene September and October much more pleasant than in England; The South part is not so mountanous nor fo woodie, for being a little passed vp from the Sea coast the continent hath champion ground for 40, miles together in North and South extent of the like nature of the former, having pretty Groues and many fresh laks replenished with Eeles & Salmon-Troutes great, and in great plen-The Beaftes are Ellans, Follow-deare, Hares, Beares harmeles, Wolues, Foxes, Beauers, Catnaghenes excellent, Otteres, and a fmall beast like a Ferret whose excrement is Muske, And the Plantations have prettie stoare of Swine and

and Goates. The Fowles are Eagles, Falcons, Taffills, Marlins, a great Owle much deformed, a leffer Owle, Buffards, Gripes, Osprayes which dive for fishes into the Water, Rauens, Crowes, wild Geefe, Snipes, Teales, Twillockes, excellent wilde Duckes of divers forts and aboundance, fome whereof rare and not to be found in Europe, Their particulars too tedious to relate, all good meate, Partriches white in Winter, and gray in Summer, greater tha ours, Butters, blacke Birds with redd breaftes, Phillidas, Wrens, Swallowes, Iayes, with other small Birds, and 2. or 3. excellent kinds of Beach Birds very fat and sweet, & at the platations English Pigeons. The sea fowles, are Gulles white and gray, Penguins, Sea Pigeons, Ice Birds, Bottle nofes, with other fortes strange in shape, yet all bowntifull to vs with their Egges as good as our Turkie or Hens, where with the Ilelands are well replenished. But of all, the most admirable is the Sea, so diversified with severall forts of Fishes abounding therein, the confideration whereof is readie to swallow vp and drowne my fenses not being able to comprehend or expresse the riches therof. For could one acre therof be inclosed with the Creatures therein in the moneths of Iune, Iulie, and August, it would exceed one thousand acres of the best Pasture with the stocke thereon which we have in England. May hath Herings on equal to 2. of ours, Lants | and Cods in good quantity, Iune hath Capline, a fish much refembling Smeltes in forme and eating, and fuch aboundance dry on Shoare as to lade Carts, in some partes pretty store of Salmond, and Cods fo thicke by the shoare that we heardlie haue beene able to row a Boate through them, I haue killed of them with a Pike; Of these, three men to Sea in a **Boate**

Boate with some on Shoare to dresse and dry them in 30. daves will kill commonlie betwixt 25, and thirty thousand, worth with the Oyle arising from them 100 or 120. pound. And the fish and Traine in one Harbour called Sainct Iohns is yearly in the Sommer worth 17, or 18. thousand pounds. Iulie, and fo till Nouember, hath Macrill in aboundance: one thereof as great as two of ours, August hath great large Cods but not in fuch aboundance as the smaller, which continueth with some little decreasing till December; What should I speake of a kinde of Whales called Gibberts, Dogfish, Porposes, Hering-Hogges, Squides a rare kinde of fish, at his mouth fquirting mattere forth like Inke, Flownders, Crabbes, Cunners, Catfish, Millers, thunnes &c. Of al which there are innumerable in the Summer feason: Likewise of Lobsters plentie, and this last yeare stoare of Smelts not hauing beene knowne there before. I haue also seene Tonnie fish in Newland; now of shell fish there is Scalupes. Musseles, Vrsenas, Hens, Periwinkles &c. Here we see the chiefe fishing with his great commoditie expressed, which falleth so fitly in the Summer season betwixt seed-time and Haruest that it cannot be any hinderance to either. have heard fome countries commended for their two fowld Haruest, which heare thou hast, although in a different kinde, yet both as profitable, I (dare fay) as theirs fo much extolled, if the right course be taken; & well fareth, that country fay I, which in one months time with reasonable paines, wil pay both landlords rent, feruants wages, and all Houshold charges. But peraduenture some squeaysie stomake will fay, Fishing is a beastly trade & vnseeming a Gentleman, to whom I answere (Bonus odor luti cū lucro) & let them

them propound the Holanders || to themselues for example whose Countrie is so much inriched, by it; others say the Countrie is barren, but they are deceived, for Terra quae tegit seipsam tegit Dominum, and the great aboundance of Woodes and wilde Fruites which excedingly florish there prove the contrary. And what though the fertility of the soyle and temperature of the Climate be inferiour to Virginia, yet for source maine Reasons to be laid downe it is to be parallelled to it, if not preferred before it, the which we will heere propound.

- 1. The first reason is the nearenes to our owne home, which naturally we are so much addicted vnto, being but the halfe of the way to *Virginia*, having a convenient passage for three seasonable monthes, March, Aprill, and May, which alwayes accommodate faire windes to passe thether, sometime in 14. or 20. dayes, seldome in thirtie dayes. Likewise the commodious returne in Iune, Iulie, August, September, October, and November, sometimes in 12. 16. 20. and now and then in thirtie dayes.
- 2. The great intercourse of trade by our Nation these threescore years and vpwards, in no small numbers frequenting the New-sound land, and daylie increasing, with the likelinesse thereof to continue, sish being a staple commoditie with vs, and so sellable in other countries yearlie imploying 3000. thousand Sea-men and breeding new daylie, also sraighting three hundreth Ships in that voyage, and releuing of 20000. people moe here in *England* (for most of these sishers are maried and haue a charge of Children, and liue by this meanes not being able to gaine halfe so much by another labour) furthermore the reuenew that groueth to the

King

King by the customes of *French*, *Spanish* and Straights goods imported, from the proceede of this fish trade suppose at the least to the value of ten thousand pounds yearely.

- 3. The conveniency of transporting plantors thether at the old rate, ten shillings the man, and twentie shillings to find him victual thether, likewise other commodities by shippes || that goe sackes at ten shilling pertunne out, and thirtie shillings home, whereas Virginia and Birmooda fraightes, are sue pound the man and three pound the tunne.
- 4. Fourthly and lastly, Securitie from foraine and domesticke enemies, there being but few Saluages in the north, and none in the fouth parts of the Countrie; by whom the planters as yet neuer fuffered damage, against whom (if they should seeke to trouble vs.) a small fortification will serue being but few in number, and those onely Bow men. Also if any Warres should happen betwixt vs and other Nations, wee neede not feare rooting out. For the Yce is a Bulwarke all Aprill commonlie and after that during the whole Summer wee haue a garifon of 9. or 10. 1000 of our owne Nation with many good and warlike Shippes, who of necesfitie must defend the fishing season for their liuings sake, as they alwayes formerlie haue done in the Warres with Spaine. And afterwards in the monthes of Haruest and Winter the winds are our friends and will hardlie fuffer any to approach vs, the which if they should, the cold opposite to the nature of the Spainard will give him but cold Intertainement; neither will the Plantours be altogether puffed vp with carelesse securitie, but fortifie in some measure knowing that Non sunt securi qui dant sua Colla securi.

Nowe



Nowe having formerly layed downe the temperature of the Aire and disposition of the Weather in the Winter seafon to be cold and consequently differet from other places of the fame fituation vnder the fame Parallel in Europe, and by experience answerable to 59. or 60. degrees thereof. will be expected that I should shew some reasons concerning the fame which according to mine opinion (fubmitting my felfe to better Iudgements) I will fet downe; It being a generall rule approued through America that any place vnder the fame Parallel of another place in Europe is as cold as those places which are situate in 12. or 13. degrees to the North wards therof, and the same rule holdeth alike on || either fide of the Equinoctiall. For example, the straigths of Magelan in 54. to the South of the Equinoctiall, are more cold, fnowie and boysterous than any part of Europe in 65. Likewise on this side the Line, the Country about the Riuer Orenoaque and Trinidade in 9. or ten degrees is foud as temperate as Gualata vnder 23. degrees of more northerlie latitude in Africa. So likewise Sainct Augustine in Florida. vnder 31. degrees is anserable to Valadulid in 42. degrees in Spaine, also the plantations vnder 37. degrees in Virginia are correspondent in the Winter to the temperature of Deuenshire or Cornewall vnder 50. degrees heare in England, and although their Summer bee some what hotter in regard of the nearenes of the Sunne, being then in Cancer within 15. degrees of their Zenith, the Radius therof then striking neare at a right Angle, causing a strange reflection, yet would it be much hotter if the Sun in his passage ouer the great Oceane 3000, miles broad vnder that Paralel, betwixt Europe & America, by the exhalation of waterish vapours & much moissure

moisture thereout, into the middle region of the Aire, did not coole the fame, which being made more groffe & thick with mifty Clouds, his Beames cannot pearce through with their propre vigor and force, to heate the Earth; To this cooling of the Sunnes heate helpeth also all those great fresh ponds and lakes so abounding in America. Fresh waters being more naturally cold than falt, and both colder than the Earth, of like qualitie also are the marish and Boggie groundes, the Lands not manured and therefore more naturally cold, the Country slenderly peopled, voide of Townes and Cities, whereof Europe is full; the smoake whereof and heate of fires much qualifieth the coldnesse of the Aire. Lastly the chiefest reason of the coldnesse in New-sound-land in the VVinter feafon is the Yce which beeing congealed into great firme Lands, Euen from the North Pole, all alongst the Coast of Gronland, Grenland, The North-west passage Terra de laberador & fo towardes the Grand bay, all that tract having many Inlets and broken Lands apt as vnnaturall | wombes to breede and bring foorth fuch Monsters, which being nursed in their ruder armes, till the VVinter feafon past, are turnde foorth of doores in the Spring to shift for themselues, and being weary of their imprisonments in those angrie Climes with one accord as if they had agreed with winde and streame take Ferrie into New-sound-land, which immuring vs in the months of Febru. & March, both which are subject to northeast winds & blowing from this Yce causeth it very cold. The currant stil setting it southward as a Iaylor to bring it before the Iudge, neuer leaueth it till with the helpe of the outset of Sainct Lawrence Gulfe it be presented nearer the Sun to be broild by his scorching Beames

Beames and confumed. I cannot deny but in some VVinters betwixt Christmas and March, Yce is bred in the Harbors and bayes of New-soundland, by reason of the calmenesse of the winds there incident, And the want of streames not causing motion in the Waters, and when it is so frozen, it is none otherwise then the Texsell or Inner Seas in Holand of 15. or 18. Inches thicknesse, and breakes and consumes in the Spring; all fresh Lakes frozen opens in the end of March or the beginning of Aprill, which brings with it many showers to wash away Snow, and bare the ground; and in the midle of the Month many Ships arriue of the English, some French, and in the midest of May some Portingalls. All which as so many Reapers come to the Haruest, gathering in aboundance the wonderfull blessings of the Lord.

I might heare further discourse of our discoueries, conference with the Saluages by Master Iohn Gye, their maner of life. Likewise of the managinge our businesse in our Plantations, with the descriptions of their situations in 2. places 16. miles distant from other, on the northside the bay of Conception; of the manner charge and benefite of our fishings with the feuerall strange formes, and natures of Fishes, projects for making Yron, Salt, Pitch, Tarre, Tirpintine, Frank-Incense, Furres, Hope of trade with Saluages and such like, with many accidents and occurences in the time of | my gouerment there, but these may suffice as Verbum sapienti; being of sufficient trueth to remove errours of conceiuing the Countrie more pleasant by reason of his naturall fight in the Spheare, then it is indeede, also to convince and take away malicious and fcandelous speeches of maligne perfons,

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persons, who out of enuy to GOD and good Actions (instructed by their father the Deuill) haue sought to dispoile it of the dewe, and blamish the good name thereof. And lastlie to induce thee, gentle Reader, to the true consideration thereof as a thing of great consequence to our Nation not only at present, but like to bee much more beneficiall when the plaintations there shall increase, which God grant to his owne glorie and the good of our Common-Wealth.

FINIS.





EARLY ENGLISH WORKS ON NEWFOUNDLAND.



HE following titles of early English works relating to Newsoundland will be found interesting by our readers, particularly those issued during the lifetime of Mason. Appended to the titles are the names of several libraries containing

copies of the original editions of the works mentioned.

[SIR GEORGE PECKHAM].

A Trve Reporte, Of the late discoueries, and possession, taken in the right of the Crowne of Englande, of the New-sound Landes: By that valiaunt and worthye Gentleman, Sir Humfrey Gilbert Knight. Wherein is also breefely sette downe, her highnesse lawfull Tytle therevnto, and the great and manifolde Commodities, that is likely to grow thereby, to the whole Realme in generall, and to the Aduenturers in particular. Together with the easines and shortnes of the Voyage. Seene and allowed. At London, Printed by I. C. for Iohn Hinde, dwelling in Paules Church-yarde, at the signe of the golden Hinde. Anno. 1583. 4to, 36 leaves.

Two editions the same year.

Copies:



Early English Works

Copies: (1) British Museum, London, England, C. 32, c.; (2) Do. C. 13, a. 9 (2), impersect; (3) Public Library, Cambridge; (4) Bridgewater House; (5) Charles H. Kalbsleisch, New York, N. Y.

CAPT. RICHARD WHITBOURNE.

A Discoverse and Discovery of Nevv-sovnd-land, with many reasons to prooue how worthy and beneficiall a Plantation may there be made, after a far better manner than now it is. Together with the Laying open of certaine enormities and abuses committed by some that trade to that Countrey, and the meanes laide downe for reformation thereof. Written by Captaine Richard Whitbourne of Exmouth, in the County of Deuon, and published by Authority. Imprinted at London by Felix Kyngston, for William Barret. 1620. 4to, pp. (18), 69, (4).

Copies: (1) Lenox Library, New York, N. Y.; (2) Lenox Library; (3) John Carter Brown Library, Providence, R. I.; (4) Yale College, New Haven, Conn.; (5) British Museum, 278, c. 31 (1); (6) Do. 1196, b. 43; (7) Charles Deane, LL.D., Cambridge, Mass.

JOHN MASON.

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A Briefe Discourse of the Nevv-sound-land, with the situation, temperature, and commodities thereof, inciting our Nation to goe forward in that hopefull plantation begunne. . . . Edinburgh, Printed by Andro Hart. 1620. 4to, 7 leaves. Title, I leaf; dedication to Sir Iohn Scott, I leaf; Text, 5 leaves.

Copies: (1) British Museum, G. 7112; (2) Advocates' Library, Edinburgh.

Reprinted by the Bannatyne Club — with a map.

CAPT. EDWARD WYNNE.

A Letter... to... Sir G. Calvert,... his Majesties Principall Secretary: from Feryland in Newsoundland, the 26. of August. 1621. [London? 1621.] 8vo.

Copies: (1) British Museum, 1196, b. 5.

CAPT. RICHARD WHITBOURNE.



CAPT. RICHARD WHITBOURNE.

A Discovrse and Discovery of Nevv-sound-land, with many reasons to prooue how worthy and beneficiall a Plantation may there be made, after a far better manner than now it is. Together with the laying open of certaine enormities and abuses committed by some that trade to that Countrey, and the meanes laid downe for reformation thereof. Written by Captaine Richard Whitbourne of Exmouth, in the County of Deuon, and published by Authority. As also, an Inuitation: and likewise certaine Letters sent from that Countrey; which are printed in the latter part of this Booke. Imprinted at London by Felix Kingston. 1622. 4to, pp. (22), 107, (5), 15. A in three, and B-T in fours.

Copies: (1) Lenox Library; (2) British Museum, G. 2907; (3) Harvard College Library, Cambridge, Mass., 4344, 23; (4) S. L. M. Barlow, New York, N. Y.; (5) Massachusetts Historical Society, Boston, Mass. The last is perhaps an earlier issue. It has pp. (22) 101, (4) 15. In the first paged portion, p. 69 has on the reverse p. 100, thus omitting 30 pages.

CAPT. RICHARD WHITBOURNE.

A Discovrse Containing a Loving Invitation both Honourable and profitable to all such as shall be Aduenturers, either in person, or purse, for the aduancement of his Maiesties most hopefull Plantation in the Nevv-sovnd-land, lately vndertaken. Written by Captaine Richard Whitbovrne of Exmouth, in the County of Deuon. Imprinted at London by Felix Kyngston, dwelling in Pater-noster-Row. 1622. 4to, pp. (8), 46.

Copies: (1) Lenox Library; (2) Do.; (3) Do.; (4) Library of Congress, Washington, D. C.; (5) John Carter Brown Library; (6) British Museum, 278, c. 31 (2); (7) Do. 1196, b. 41, 42; (8) Charles Deane, LL.D. (15 pp. at end).

CAPT. EDWARD WYNNE.

A Letter from Captaine Edward Wynne, Gouernour of the Colony at Ferryland, within the Prouince of Aualon, in Newfound-land, vnto

vnto the Right Honorable Sir George Calvert Knight, his Maiesties Principall Secretary. Iuly 1622 [London, 1622]. 4to, pp. 18. A – B in sours and C in one.

Copies: (1) Lenox Library; (2) British Museum 278, c. 31 (2).

There are two other editions of this, one appended to the Whitbourne of 1622 (pp. 1-15, fig. S-T in fours), and the other to the Whitbourne of 1623 (twelve unnumbered pages, fig. Q in four and R in two).

CAPT. RICHARD WHITBOURNE.

Westward Hoe for Avalon In the New-found-land. As described by Captain R. Whitbourne, of Exmouth, Devon, 1622. Edited and illustrated by T. Whitburn. *London*. 1870. 12mo.

Selected and abridged from the edition of 1622.

CAPT. RICHARD WHITBOURNE.

A Discovrse and Discovery of nevv-fovnd-land, with many reasons to prooue how worthy and beneficial Plantation may there be made, after a better manner than it was. Together with the laying open of certain enormities and abuses committed by some that trade to that Countrey, and the meanes laid downe for reformation thereof. Written by Captaine Richard Whitbourne of Exmouth, in the County of Deuon, and published by Authority. As also a louing Inuitation and likewise the copies of certaine Letters sent from that Countrey; which are printed in the latter part of this Booke. Imprinted at London by Felix Kingson. 1623. 4to, pp. (18), 97, (4), 15.

Copies: (1) Lenox Library; (2) Boston Athenæum, Boston, Mass. (both with Wynne in twelve pages); (3) Lenox Library; (4) British Museum, 982, a. 28; (5) Do. 798, d. 19; (6) Public Library, Boston, Mass.; (7) Watkinson Library, Hartford, Conn. (with Wynne in fifteen pages).

There is another variety or edition of 1623 in which Wynne's Letters at the end are complete in twelve unnumbered pages inftead of fifteen numbered pages.

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A Short Discovrse of the New-Found-Land: Contayning [sic] Diverse Reasons and inducements, for the planting of that Countrey. Published for the satisfaction of all such as shall be willing to be Adventurers in the said Plantation. Dublin, Printed by the Societie of Stationers. M. DC. XXIII. 4to, 15 leaves, the last one blank. A in three, and B-D in source.

The dedication is figned "T. C."

Copies: (1) British Museum, 1196, b. 39; (2) John Carter Brown Library; (3) Lenox Library.

RICHARD EBURNE.

A Plaine Path-way to Plantations: That is, a Discourse in generall, concerning the Plantation of our English people in other Countries. Wherein is declared, That the Attempts or Actions, in themselues are very good and laudable, necessary also for our Country of England. Doubts thereabouts are answered; and some meanes are shewed, by which the same may, in better fort then hitherto, be prosecuted and effected. Written for the perswading and stirring up of the people of this Land, chiefly the poorer and common fort to affect and effect these Attempts better then yet they doe. With certaine motiues for a present Plantation in New-soundland about the rest. . . . By Richard Ebvrne of Hengstridge in the Countie of Somerset. [London:] Printed by G. P. for Iohn Marriot. 1624. 4to, pp. (18), 120.

Copies: (1) John Carter Brown Library; (2) John Holmes, Cambridge, Mass.; (3) Public Library, Quincy, Mass.; (4) S. L. M. Barlow, New York, N. Y. (Impersect at end).

[SIR WILLIAM VAUGHAN].

Cambrensivm Caroleia. Qvibvs Nuptie Regales celebrantur, Memoria Regis Pacifici renouatur, & Precepta necessaria ad Rempublicam nostram foeliciter administrandam intexuntur: reportata A Colchide Cambriola ex Australissima Novae Terrae Plaga, Opera & studio Orphei Iunioris. Londini. Excudebat Gulielmus

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Gulielmus Stansbeius. 1625. 8vo, 56 leaves. A in four, B-G in eights, and H in four. Map of Newsoundland.

In verse. Dedicated to King Charles. The map was prepared by Capt. John Mason. It differs slightly from the one in "The Golden Fleece."

Copies: (1) British Museum, G. 17451.

[SIR WILLIAM VAUGHAN].

The Golden Fleece Divided into three Parts, Vnder which are discovered the Errours of Religion, the Vices and Decayes of the Kingdome, and lastly the wayes to get wealth, and to restore Trading so much complayned of. Transported from Cambrioll Colchos, out of the Souther-most Part of the Iland, commonly called the Newsovndland, By Orpheus Iunior, For the generall and perpetuall Good of Great Britaine. London, Printed for Francis Williams, and are to bee sold at his Shop at the signe of the Globe, over against the Royall Exchange. 1626. 4to, pp. (28), 149, 105, 96. Map of Newsoundland.

In verse and prose. The map was prepared by Capt. John Mason. It differs slightly from the one in the "Cambrensivm Caroleia."

Copies: (1) John Carter Brown Library; (2) Watkinson Library;

- (3) British Museum; (4) Lenox Library; (5) S. L. M. Barlow;
- (6) Massachusetts Historical Society.

ROBERT HAYMAN.

Qvodlibets, lately come over from New Britaniola, Old Newfovnd-land. Epigrams and other small parcels, both Morall and Diuine. The first source Bookes being the Authors owne: the rest translated out of that Excellent Epigrammatist, Mr: Iohn Owen, and other rare Authors: With two Epistles of that excellently wittie Doctor, Francis Rablais: Translated out of his French at large. All of them Composed and done at Harbor-Grace in Britaniola, anciently called Newsound-Land. By R. H. Sometime Gouernour of the Plantation there. London. Printed by

by Elizabeth All-de, for Roger Michell, dwelling in Pauls Churchyard, at the figne of the Bulls-head. 1628. 4° pp. (8), 64, (6), 58.

Copies: (1) British Museum, C. 34, f. 15; (2) Do., G. 11466 (first part only); (3) Bodleian Library, Oxford, Eng.; (4) Charles H. Kalbsleisch; (5) John Carter Brown Library; (6) Boston Athenæum; (7) Library of Congress; (8) Lenox Library; (9) Huth Library.

SIR WILLIAM VAUGHAN.

The Newlanders Cvre Aswell of those violent sicknesses which distemper most Minds in these latter Dayes: As also by a Cheape and Newsound Dyet, to preserve the Body sound and free from all Diseases, vntill the last date of Life, through extreamity of Age. Wherein are inserted generall and special Remedies against the Scurvy, Coughes, Feauers, Goute, Collicke, Seasicknesses and other grieuous Infirmities. Published for the Weale of Great Brittaine, By Sir William Vaughan, Knight. Imprinted at London by N. O. for F. Constable, and are to be fold at his Shop in Pauls Church, at the signe of the Craine. 1630. 12mo, pp. (16), 143. A - K in eights.

Copies: (1) John Carter Brown Library; (2) British Museum, 1038, e. 5 (3); (3) Rev. T. Corser; (4) Harvard College Library.

A Commission for the well gouerning of Our people, inhabiting in New-found-land; Or, Trassiquing in Bayes, Creekes, or fresh Riuers there... Imprinted at London by Robert Barker,... and by the Assignes of Iohn Bill. M. DC. XXXIII. 4to, A-C 3 in fours, title on A 2.

Copies: (1) British Museum, 1196, b. 38; (2) Huth Library.

According to Lowndes, reprinted in the fecond volume of the Oxford collection of voyages and travels.

Remonstrance on behalf of the Merchants trading to Spain, East Indies, and Newfoundland. 1648. Folio.

Among

Among the manuscripts sold with the library of George Chalmers in 1842, were the following:—

1781 Newfoundland. Collection of Papers relating to Newfoundland and its Fishery, from an early Period. Folio.

1782 Newfoundland. Papers relating to Newfoundland and the Fishery. Folio.

1785 America. Papers relating to Georgia, Massachusetts and Newsoundland, 3 vol. Folio. 200

The Hon. Mellen Chamberlain, LL.D., Librarian of the Boston Public Library, has sent other titles of works on Newfoundland previous to 1800, in that Library:—

Relation de Terre-Neuve, (Que les Anglois appellent New-Found-Land,) par White, qui y a été en 1700. traduite de l'Original Anglois. (In Recueil de voyages au Nord. Tome troisième. Nouvelle éd. A Amsterdam, chez Jean Frédéric Bernard. M,DCC,XXXII, pp. 357-396. Map. 16°.

John Reeves. History of the government of the Island of Newsoundland. With an appendix; containing the Acts of Parliament made respecting the trade and fishery. By John Reeves, Esq. Chief Justice of the Island. London: Printed for J. Sewell, Cornhill; J. Debrett, Piccadilly; and J. Downes, Nº 240, Strand. 1793 (8) 167, (iv) cxvi pp. 8°.

Voyage fait par ordre du roi en 1750 et 1751, dans l'Amérique septentrionale, pour rectiser les cartes des côtes de l'Acadie, de l'Isse Royale & de l'Isse de Terre Neuve; et pour en fixer les principaux points par des observations astronomiques. Par M. de Chabert enseigne des vaisseaux du Roi. A Paris, de l'imprimerie royale. M.DCCLIII. viii, 288 (10) pp. 3 folded plates. 4°.

An account of the island of Newfoundland, with the nature of its trade, and method of carrying on the fishery. With reasons for the great decrease of that most valuable branch of trade. By Capt. Griffith Williams, of the royal regiment of artillery, who resided in the island fourteen years when a lieutenant, and now has a command there. To which is annexed, a plan to exclude the French from that Trade. Proposed to the administration in the year 1761, by Printed for Capt. Capt. Cole. Thomas Cole. [Rest of imprint trimmed away, date is 1765]. 35 pp. sm. 8°.

Edward Chappell, Lieut. R. N. Voyage of his Majesty's ship Rosamond to Newfoundland and the fouthern coast of Labrador of which countries no account has been published by any British traveller since the reign of queen Elizabeth. London: printed for J. Mawman, Ludgate Street: by R. Watts, Crown Court, Temple Bar. 1818. (x) xix, 270 pp. Illus. Map. 8°. Byron, admiral, 1722-1786. John Transcripts of official orders and letters issued by John Byron while governor and commander-in-chief of Newfoundland, the coast of Labrador, &c., from 1769-1771.] 268 pp. Manufcript. Fo.

[Sailing directions for the coast of Newfoundland, Labrador, and the gulf and river of St. Lawrence. London: R. Sayer and J. Bennett. 1779?] 4°. The North American pilot for Newfoundland, Labradore, the Gulf and River St. Lawrence: being a collection of fixty accurate charts and plans, drawn from original furveys: taken by James Cook and Michael Lane, furveyors, and Joseph Gilbert, and other

officers in the king's fervice. Published by permission of the Right Hon. the Lords commissioners of the Admiralty: chiefly engraved by the late Thomas Jefferys, Geographer to the King. On thirty-fix large copperplates. London, printed and sold by R. Sayer and J. Bennett, No. 53, in Fleet street. MDCCLXXIX. Fo.





THE CHARTERS

OF

CAPTAIN JOHN MASON.

HERE were three charters granted to Capt. Mason solely, and three to him associated with others. Those to him folely were Mariana, March 9, 1621-2; New Hampshire, November 7, 1629, and New Hampshire and Masonia.

April 22, 1635. Those in affociation with others were the Province of Maine, April 10, 1622, to Sir Ferdinando Gorges and himself, and Laconia, November 17, 1629, likewise to Sir Ferdinando Gorges 800 and himself; and Pescataway, November 3, 1631, to Sir Ferdinando Gorges, Mason, and seven others. These fix charters are printed in the following pages in their chronological order.

I. GRANT

²⁰⁰ A monograph on Sir Ferdinando ters and other papers, with historical Gorges, and his connection with New illustrations, and a memoir by James England Colonization, including his P. Baxter, A. M., is in preparation, and tract entitled "A Brief Narration," the will appear as one of the "Publications American Charters granted to him, let- of the Prince Society."

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I. GRANT OF MARIANA.

March 9, 1621-2.

A Grant of Cape Anne in New England from the President & Councill of New England to Iohn Mason Esq..

THIS INDENTURE made ye ninth day of March in ye 19th yeare of the Reigne of Our Sovereigne Lorde James by ye Grace of God King of England, Scotland, ffrance & Ireland. Defender of the ffaith. Betweene ye president & Councell of New England of the one parte and Iohn Mason Gent. and inhabitant of the Citty of London of ye other parte. Witnesseth that whereas Our said Soveraigne Lord King

**O¹ This grant was copied for Mr. Tuttle from the British Public Record Office, Colonial Entry Book, Vol. LIX.

pp. 93-100.

Edmond Sheffield, Baron Sheffield, afterwards Earl of Mulgrave, one of the Patentees of the New England Company, on the 1st of January, 1623-4, by indenture conveyed to "Robert Cushman and Edward Winslow, for themfelves and their Affociates and Planters, at Plymouth in New England," a portion of the territory in this Mariana grant. This was nearly two years after the date of Mason's patent. The tract conveyed by Lord Sheffield is described as "a certaine Tract of Ground in New England aforesaid lying in Forty-three Degrees of Northerly latitude and in a knowne place comonly called Cape Anne, Together with the free vse and benefitt as well of the Bay comonly called the Bay of Cape Anne, as also of the Islands within the faid Bay." No bounds of the territory are given. The grantees were entitled to take five hundred acres for public uses adjoining the Bay, and thirty acres each for fuch individuals, young and old, as should, within seven

years, "come and dwell at the aforesaid Cape Anne." The territory was to be taken together "in one entire place." The confideration was an annual rent of twelve pence for every thirty acres. Lord Sheffield, I presume, rested his right to make this conveyance on the fact that he drew a lot at the division of their territory among the patentees by the Council for New England on Sunday, June 29, 1623. Vide Council Record in Proceedings of the American Antiquarian Society, April, 1867, p. 96. It feems, however, from the record of the Council, February 3, 1634-5, that this division never was confirmed. Vide ibid., p. 115. The lot drawn was No. 12. The only evidence of the location of these lots is Sir William Alexander's map of 1624, and on this map Lord Sheffield's lot is located in the present State of Maine. Vide this map in Sir William Alexander and American Colonization, by the Rev. Edmund F. Slafter, Prince Society, p. 216. It is probable that Sheffield, when he figned the above leafe, was not acquainted with the geography of New England. William Hubbard, in his History of New England,

King James for ye makeing a plantacon & establishing a Colony or Colonyes in the Country called or knowne by the name of New England in America hath by his Highness Letters Patents vnder the Great Seale of England bearing Date at Westminster the 3d day of Novemb' given granted & confirmed unto the Rt Honble Lodwick Lord Duke of Lenox, George Marquiss of Buckingham. James Lord Marquis Hamilton, Thomas Earle of Arundell, Robert Earle of Warwick, S. Ferdinando Gorges Knight & divers others whose names are expressed in the said Letters Pattents their Successor and Assignes that they shall be one body politicque and Corporate perpetuall, and that they should have perpetuall Succession, and one Common Seale or Seales to ferve for yo faid Body, and that they & their Successon shalbee knowne called and incorporated by the name of the President and Councill established at Plymouth in the County of Devon for y Planting Ruling & Governing New England in America. and alsoe hath of his especiall Grace certaine knowledge meer motion for him his Heirs & Successors given granted & Confirmed unto the said President & Councill & their Successor under the Reservacons limitacons & Declaracons in the faid Letters Pattents expressed. All that parte & porcon of the faid Country now comonly called New England which is Scituate lying & being betwixt the Latitude of 40 Degr. & 48 of Northerly Latitude togeather wth the Seas & Islands lying win one hundred Miles of any parte of the faid Coast of the Country aforesaid. And also all ve Lands Grounds, Soyle havens Ports Rivers Mines as well Royall Mines of Gold & Silver as others Mines Mineralls pearles and Pretious Stones woods quarreys Marshes

that Lord Sheffield had no right to convey the territory, and therefore, as the grantees could not legally hold the property, they really derived no benefit from it. The people of the colony of New Plymouth occupied territory at Cape Anne, however, though they do not appear to have enjoyed its exclusive cation.

England, Vol. I. p. 110, calls this a use. This conveyance is made the useless Patent," meaning probably subject of a valuable historical monograph by John Wingate Thornton, A.M., under the title of The Landing at Cape Anne. It contains much important information relative to the early history of Massachusetts Bay. A facfimile of the indenture accompanies the volume, and adds interest to the publi-

Waters fishing hunting hawking fowling Comodities & Hereditamth whatfoever togeather wth all the prerogatives Jurifdicons Royaltyes priviledges ffranchifes and preheminences whin any of ve faid Territoryes and ye precincts thereof whatfoever To have hold poffess & enjoy all & Singler ye faid Lands & premifes in ye faid Letters patents Granted or menconed to be granted unto them the faid Prefident & Councill their Successor and Assignes. To be holden of his matter his Heirs and Successon as of his Highness Mannor of East Greenwich in ye County of Kent in free & Comon Soccage and not in Capite or by Knights Service Yelding & paying to ye Kings Ma'y his heires and Successor the one fifth part of all the Oare of Gold & Silver that from time to time and att all times from the Date of the faid Letters Patents shall be there gotten had or obteyned for all Services Dutyes or Demands as in & by his Highness said Letters Patents amongst divers other things therein conteyned more fully & at large it doth & may appeare. And whereas the faid President and Councill have vpon Mature Deliberacon thought fitt for ye better furnishing and furtherance of the Plantaons in those parts to appropriate and allott to feverall and particuler persons diverse parcells of Lands win the precincts of the aforefaid granted premifes by his ma" faid Letters Patents, Now this Indenture further witnesseth that ve faid President and Councell of their full free and Mutuall confent as well to ye end that all the Lands woods, waters, Islands & fishings wth all other the profitts and Comodityes whatsoever to them or any of them and hereafter in These presents menconed may be wholy & intirely invested appropriated Severed and Settled in & vpon the faid Iohn Mason his heirs and assignes for Euar, as for divers speciall fervices for ye advancem! of ye faid Plantacon & other Good causes & confideraons them especially thereunto moveing have given granted bargained fold affigned aliened Enfeoffed Sett over & confirmed. And by these presents doe give grant bargaine sell assigne alien Enfeoffed fett over & confirme unto ye faid Iohn Mason his heirs and affignes. All that part of the Sea Coast of New England being a great headland or Cape & lying in yo Northermost parts of the Massachusetts

Maffachusetts Country & to ye Northeastwards of the Great River of the Massachusetts stretching it self out into ye Sea Eastwards five Leagues or thereabouts and lying betwixt yo Lat of 42 & 43 Degr. or thereabouts, & comonly called or knowne by the Names of Cape Trabigzand or Cape Anne wth the North South & East Shoares & Coasts thereof the back bounds thereof towards the maine Land to begin at the head of the next Great River to the Southwards of the faid Cape wth runns vpward into the Country of the Main Land westward and supposed to be called Naumkeck or by what other name or names the faid River is or may be called & foe forth Eastwards into ye Sea & to ye uttermost part of ye said headland or Cape & round about the fame to ye Northwards and from thence along the Sea Coast to the Next Great River web runns vp into the Maine Land Westwards & Supposed to be called Merimack or by what other Name or Names the faid River is or may be called & lying to the Northwestwards of the said Cape & to the farthest head of the said river from w^{ch} period to Crossover land to ye head of the other Great. River w^{ch} lyes Southwards of y^e aforesaid Cape where the perambulacon began & halfe way over that is to fay to ye midst of either of ye faid two Rivers web bounds or limits the aforesaid lands both on ye North & South thereof togeather wth the Great Isle or Island henceforth to be called Isle Mason lying neere or before the Bay Harbor or ye river of Aggawom togeather alfoe wth all the Seas, Isles or Islands adjoyning to any part of ye precincts of the Lands aforefaid or lying whin 3 Miles of any parte of yo same, as alsoe all yo Lands Soyle Grounds havens Ports Rivers Mines Mineralls pearls & pretious Stones woods quarreys marshes Waters Lakes fishings hunting hawking ffowling Comodityes & hereditam's whatfoever wth all & Singler their appurtenences togeather wth all prerogatives rights royaltyes jurifdictions priviledges francheses pheminences libertyes Marine power as alsoe yo Escheats and casualtyes thereof, wth all yo State right title interest claime & demand whatsoever web the said president & Councill & their Successor of right ought to have or claime in or to the faid porcons of land & other yo premises as is aforesaid by reason

reason or force of his Highness said Letters Pattents in as free large ample & beneficiall Manner to all intents constructors & purposes whatsoever as in & by ye said letters Patents the same are amongst other things granted to ye said president & Councill asoresaid Except two stifts of the Oare of Gold & Silver these presents hereaster expressed we said Porcons of Lands we the appurtences the stift Jhohn Mason with the consent of the President and Councill intendeth to name Mariana.

To have and to hold all ye faid porcons of land wth ye Great Island henceforth to be called Isle Mason & all other Islands adjacent & whin three Miles thereof and all & Singuler other v° premifes hereby Given granted aliened enfeoffed & confirmed or menconed or intended by these presents to be given granted Aliened wth all & Singler ye appurtences & every part & parcell thereof vnto ye faid Iohn Mafon his heyres & Affignes for ever, To be holden of his faid Mate his heyres & Successor as of his Highness Manor of East Greenwich in the County of Kent in ffree and Common Soccage & not in Capite or by Knt Service Nevertheless wt such exceptions reservations, limitations & Declarations as in the faid Letters Pattents are Expressed, Yeelding and paying vnto Our faid Sovereigne Lord the King his heirs and Successor the one fifth part of all y Oare of Gold and Silver that from time to time & at all times hereafter shall bee there gotten had and obteyned for all Services Dutyes and Demands, And also yelding & paying unto the said President and Councell & their Successor Yearly the sum of ffive shillings English Money or the value thereof in fish or other Comodityes of the Country if it be demanded.

And the said President & Councell for them and their Successor doe Covenant & Grant to & wth y^e said John Mason his heires and assignes from and after thensealing & delivery of these Pints. according to the purporte true intent & meaning of these pints that he shall & may from henceforth & from time to time for ever peaceably quietly have hold possess & enjoy all the aforesaid porosins of Land wth all other the Islands & premises wth the appurtences hereby before given & granted

granted or menoned meant or intended to be hereby given & granted & every part & parcell thereof without any lett disturbance or denyall trouble interuption or eviction of or by the faid prefident & Councill or any person or persons whatsoever claiming by from or vnder them or their Successor or by or vnder their State right Title or interest. And the said President & Councell for them & their Successor doe Covenant & Grant to & wth the said Iohn Mason his heirs and affignes by these pnts that they the said President & Councell shall at all times hereafter upon reasonable request at young proper Cost & charges in the Law of the said Iohn Mason his hevres and affignes doe make performe fuffer execute & willingly confent unto any further Act or Acts conveyance or conueyances assurance or assurances whatsoever for the good & perfect investing assureing & conveying & Sure makeing of all the aforefaid porcons of Land & Islands and all & Singler the Appurtences to ye said John Mason his heyres & affignes as by him his heyres & affignes or by his or their Councell Learned in the Law shall be devised advised or required. And it is further agreed by & between the faid partyes to these presents, And the said Iohn Mason for him his heyres Executo" & Administ" doth Covenant to & with the faid Prefident & Councill & their Successors by these Presents that if at any time hereafter there shall be found any Oare of Gold or Silver win the Grownds or in any part of the faid premifes that then the fd John Mason his heyres & Affignes shall yeeld & pay unto ye said president & Councell their Successor and Assignes one fifth part of all such Oare of Gold & Silver as shall be found in & vpon the premises. And the said Iohn Mason doth farther covenant for him his heyres & Assignes that he will establish such a Governm! in ye said Porcons of Lands granted vnto him & the same will from time to time continue as shall be agreeable as neere as conveniently may bee to the Laws and Customes of the Realme of England, and if he shall be charged at any time to have neglected his Duty therein that then he will reforme the same according to the Directions of the President & Councill. And further that if ye faid Iohn Mason his heyres or assignes fhall

shall at any time hereafter alien these premises or any part thereof to any fforreigne Nations or to any person whatsoever of any fforreigne Nation without the Speciall Lycence confent and agreemt: of the faid President & Councell their Successor & Assignes that then the parte or parts of the faid lands foe aliened shall imediatly returne back againe to the vse of the faid President and Councill And further know yee that the faid President & Councell have made constituted deputed authorished & appointed & in their place & stead doe put Ambrose Gibbins 802 or in his Absence to any other person that shall be their Governor or other Offict to the President & Councill to be their true & Lawfull Attorney & in their name & stead to enter the fd porcons of Lands & other premises wth their appurtness or into some part thereof in the Name of the whole for them & in their Name to have & take possession & Seizing thereof & after such possession & Seizin thereof or of some parte thereof in ye Name of the whole soe had & taken then for them & in their Names to deliver the full & peaceable possession & Seizin of all & Singuler the said granted premises unto the faid John Mason or to his certaine attorney or Attorneys in that behalfe according to the true intent & meaning of these presents ratifying allowing & Confirming all and whatfoever their faid Attorney shall do in or about ye premises by these psents. In wittnesse whereof to one parte of these present Indentures remaining wth ye said John Mason the said President & Councell have put their Comon Seale &

302 It is evident from the fact that Ambrose Gibbons is empowered by this patent to give possession of the province of Mariana-to Mason that, in March, 1621-2, Gibbons intended foon to come to New England, if he was not then already here. How much truth there is in the statement relative to him in "The Title of Robert Mason," as revised about 1677, I cannot tell. It is probable that, as there represented, Gibbons came to New England in 1622; and it is possible

and resided here till after the Massachusetts charter was obtained; and that under authority of that charter the fervants and tenants of Mason were ejected. We need more evidence, however, before we accept these statements as authentic history. But Gibbons could not have remained in New England, as there stated, till 1630, for he was in England in the spring of that year, and on the 27th of March sailed from the Downs in the Warwick for the Pafthat he built houses at Cape Anne, set cataqua, as already stated. Vide ante, up the trade of fishery upon the coast, p. 57.

to

to y° other part thereof remaining wth y° faid Pfident & Councell he the faid John Mason have put his hand & Seale, Given the Day & Yeare first above Written.

II. GRANT OF THE PROVINCE OF MAINE.

August 10, 1622.

A Grant of the Province of Maine to S' Ferdinando Gorges, and Fohn Mason, Esq. 10th of August, 1622.

THIS INDENTURE made the 10th day of August Anno Dom: 1622, & in the 20th yeare of the Reigne of our Sovereigne Lord James by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c. Betweene the President & Councell of New England on yo one part, and Sr Ferdinando Gorges of London, Knight and Captaine John Mason of London Esquire on youther part Wittnesseth 808 that whereas our faid Sovereigne Lord King James for the makeing a Plantacon & establishing a Colony or Colonyes in yo country called or knowne by yo name of New England in America hath by his Highness Letters Patents under the Great Seale of England bearing date at Westm': the 3d day of November. in the 18th yeare of his Reigne given granted and confirmed vnto the Right Honorable Lodowick Duke of Lenox George Marquis of Buckingham, James Marquis Hamilton, Thomas Earle of Arundell, Robert Earle of Warwick, Sr Ferdinando Gorges Knt. and diverse others whose names are expressed in ye said Letters Patents, their successors and affignes that they shalbe one Body Politique and Corporate perpet-

^{**} This grant, recorded in the Colonial Entry Book, No. LIX. pp. 101108, is reprinted from A Vindication of
the Claims of Sir Ferdinando Gorges,

123.

uall and that they should have perpetuall Succession & one Comon Seale or Seales to ferve for the faid Body and that they and their Successors shalbe knowne called and incorporated by the name of the President & Councill established at Plymouth in the County of Devon for the planting ruling and governing of New England in America. And also hath of his especiall grace certaine knowledge and meer motion for him his heyres and fuccessor: & given granted and confirmed vnto the faid President and Councill and their succeffor under the refervacons, limitacons and declaracons in the faid Letters Patents expressed. All that part or porcon of that country now comonly called New England weh is situate lying and being between the Latitude of 40 and 48 Degrees northerly Latitude together wth the Seas and Islands lying wthin one hundred miles of any part of the faid Coasts of the Country aforesaid and also all ye Lands, Soyle, grounds, havens, ports, rivers, mines as well Royal mines of Gold and Silver as other mines minerals pearls and pretious stones woods, quaryes, marshes, waters fishings hunting, hawking fowling comodities and hereditaments whatfoever together wth all prerogatives jurifdictions royaltys privileges franchifes and preheminences within any of the faid Territoryes and precincts thereof whatfover, To have hold possess and enjoy all and singular the said lands and premises in the faid Letters Patent granted or menconed to bee granted unto ye faid President and Councill their Successor and assignes for ever to be holden of his Ma^{ty} his heyeres and fuccessoⁿ as of his highness Manor of East Greenwich in the County of Kent in free and common Soccage and not in capite or by Kn¹¹ fervice — Yeelding & paying to the King's Matte his heyers and successor the one fifth part of all Gold and Silver oare that from time to time and att all times from the date of the faid Letters Patents shall be there gotten had or obtayned for all fervices dutyes or demands as in & by his highnes faid Letters Pattents amongst other divers things therein contayned more fully and at large it doth appeare, And whereas the faid President & Councill have upon mature deliberacon thought fitt for the better furnishing and furtherance of the Plantacon in those parts to appropriate

appropriate and allott to severall and particuler persons diverse parcells of Lands within the precincts of the aforefaid granted premisses by his Ma" faid Letters Patents. Now this Indenture witneffeth that ye fd President and Councill of their full free and mutuall consent as well to the end that all the Lands, woods, lakes, rivers, waters, Islands and fishings with all other the Traffiques proffits & comodityes whatfoever to them or any of them belonging and hereafter in thefe presents menconed may be wholly and intirely invested appropriated fevered and fettled in and upon ye faid Sr Ferdinando Gorges & Capt John Mason their heyres and assignes for ever as for diverse speciall fervices for the advancemt of the fd Plantacons and other good and fufficient causes and consideracons them especially thereunto moveing have given granted bargained fould affigned aliened fett over enfeoffed & confirmed — And by these presents doe give grant bargaine fell affigne alien fett over and confirme unto ye fd Sr Ferdinando Gorges & Cap' John Mason their heirs and assignes all that part of ye maine land in New England lying vpon ye Sea Coast betwixt ye rivers of Merimack & Sagadahock and to ye furthest heads of ye faid Rivers and foe forwards up into the land westward untill threescore miles be finished from ye first entrance of the aforesaid rivers and half way over that is to fay to the midst of the said two rivers w^{ch} bounds and limitts the lands aforesaid togeather wth all Islands & Isletts whin five leagues distance of ye premisses and abutting vpon ye same or any part or parcell thereoff. As also all the lands, soyle, grounds, havens, ports, rivers, mines, mineralls, pearls, pretious stones woods quarryes marshes waters fishings hunting hawking fowling and other comodityes and hereditam" whatfoever wth all and fingular their apurtenances together wth all prerogatives rights royaltyes jurifdictions privileges franchises libertyes preheminences marine power in and vpon ye faid feas and rivers as alfoe all escheats and casualtyes thereof as flotion jetion lagon wth anchorage and other such dutyes immunityes fects ifletts and apurtenances whatfoever wth all ye estate right title interest claime and demands whatsoever web ye said President and Councell and their successor of right ought to have or claime

in

in or to yo faid porcons of lands rivers and other yo premisses as is aforesaid by reason or force of his highnes said Letters Patents in as free large ample and beneficiall maner to all intents constructions and purposes whatsoever as in and by the said Letters Patents ve same are among other things granted to yo faid President and Councell afores Except two fifths of y Oare of Gold and Silver in these pnts hereafter expressed we faid porcons of lands with ye appurtenances the faid S' Ferdinando Gorges and Capt. John Mason wh the consent of ye President & Councell intend to name ye Province of Maine To have and to hould all the faid porcons of land, Islands rivers and premifes as aforefaid and all and fingler other ye comodytyes and hereditam" hereby given granted aliened enfeoffed and confirmed or menconed or intended by these presents to be given granted aliened enfeoffed and confirmed wth all and finguler ve appurtences and every part and parcell thereof unto ye faid Sr Ferdinando Gorges and Capt. John Mason their hevres and assignes for ever. To be holden of his faid Matte his heyres and fuccessors as of his Highnes Manor of East Greenwich in ye County of Kent in free and common Soccage and not in capite or by Kn^{ts} fervice. Neverthelesse wth such exceptions refervacons limitacons and declaracons as in yo faid Letters Patents are at large expressed yeelding & paying unto our Soveraigne Lord the King his heyres & successor the fifth part of all yo oare of gold and filver that from time to time and att all times hereafter shall be there gotten had and obtayned for all fervices dutyes and demands. And alsoe yeelding and paying unto the said President and Councell and their Successors yerely the sum of Tenn shillings English money if it be demanded. And the said President and Councill for them and their Successor doe covenant and grant to and wth the faid S' Ferdinando Gorges and Capt. John Mason ther heires and affignes from and after the ensealing and delivery of these presents according to ye purport true intent and meaning of these presents that they shall from henceforth from time to time for ever peaceably and quietly have hold possess and enjoye all ye aforesaid Lands Islands rivers and premifes wth ye appurtenences hereby before given and granted

granted or menconed or intended to be hereby given and granted and every part & parcell thereof wth out any lett disturbance denyall trouble interrupcon or evicon of or by ye faid President and Councill or any person or persons whatsoever claiming by from or under them or their fuccessor or by or under their estate right title or Interest, And yo faid President and Councill for them and their Successon doe further Covenant and grant to & wth ye faid Sr Ferdinando Gorges & Capt. John Mason their heyres and assignes by these presents that they ye faid President and Councill shall at all times hereafter vpon reasonable request at yo only proper cost and charges in the Law of ye faid Sr Ferdinando Gorges & Capt. John Mason their heyres and affignes doe make performe fuffer execute and willingly confent unto any further act or acts conveyance or conveyances assurance or assurances whatsoever for yo good and perfect investing assuring and conveying and fure making of all the aforefaid porcons of Lands Islands rivers and all and singuler their appurtences to ye faid Sr Ferdinando Gorges and Capt. John Mason their heyres and assignes as by them their heyres and affignes or by his their or any of their Councill learned in ye Law shall bee devised advised or required. And further it is agreed by and between the faid partyes to these presents and y' faid S' Ferdinando Gorges and Captaine John Mason for them their heyres executors administrators and assignes doe covenant to and wth ye faid President and Councill and their successor by these presents that if at any time hereafter there shall be found any oare of gold and filver within ye ground in any part of ye faid premifes that then they ye faid Sr Ferdinando Gorges and Capt. John Mason their heyres and affignes shall yield & pay vnto ye faid President and Councill their fuccesson and assignes one fifth part of all such gold and silver oare as shall be found within and vpon ye premises and digged and brought above ground to be delivered above ground & that always within reasonable and convenient time if it be demanded after ye finding getting and digging vp of fuch oare as aforefaid wth out fraud or covin and according to ye true intent and meaning of these Presents. And ye fa Sr Ferdinando Gorges and Capt. John Mason

John Mason doe further covenant for them their heyres and affignes that they will establish such government in ye so porcons of lands and Islands granted unto them and ye same will from time to time continue as shall be agreeable as nere as may be to ye Laws and Customs of ye realme of England, and if they shall be charged at any time to have neglected their duty therein that then they will reforme the fame according to ye directions of the President and Councill or in defaulte thereof it shall be lawfull for any of ye agrieved inhabitants or planters being tenn's vpon ye faid Lands to appeale to ye Chief Courts of Justices of ye President and Councill. And ye se S' Ferdinando Gorges and Capt. John Mason doe covenant and grant to and wth y faid President and Councill their successor & assignes by these presents, that they y' said S' Ferdinando Gorges and Capt. John Mason shall and will before ye expiracon of three years to be accompted from ye day of ye date hereof have in or vpon the faid porcons of lands or some pt thereof one parte wth a competent guard and ten famillyes at ye least of his Mau subjects resident and being in and vpon ye same premises or in default thereof shall and will forfeite and loofe to the faid President & Councill the sum of one hundred pounds sterling money and further that if ye faid Sr Ferdinando Gorges and Capt. John Mason their heires and assignes shall at any time hereafter alien these premises or any part thereof to any forraigne nations or to any person or persons of any forraigne nation without ye speciall licence consent and agreement of ye said President and Councill their successors and affignes that then ye part or parts of the faid lands fo alienated shall immediately returne back againe to ye use of ye said President and Councill. And surther know yee that ye faid President and Councill have made constituted deputed authorized and appointed and in their place & flead doe put Capt. Rob' Gorges or in his absence to any other person that shall be their Governor or other officer to be their true and lawfull attorney and in their name and stead to enter the said porcons of Lands and other the premifes wth their appurtences or into some part thereof in ye name of ye whole, for them and in their name to have and take possession and

and feizin thereof, or some part thereof in y° name of y° whole soe had and taken there for them and in their names to deliver the full and peaceable possession and feizin of all and singuler the said granted premises unto y° said S' Ferdinando Gorges and Capt. John Mason or to their certaine attorney or attorneys in that behalf according to y° true intent and meaning of these presents, ratifying confirming all and allowing and whatsoever their said attorney shall doe in or about y° premises by these presents. In Witnesse whereof to one parte of these present Indentures remaining in the hands of S' Ferdinando Gorges and Captaine John Mason the said President and Councill have caused their comon seale to be affixed and to the other of these present Indentures remaining in the custody of the said President and Councill the said S' Ferdinando Gorges & Capt. John Mason have put to their hands and seales. Given y° day and yeare first above written.

III. GRANT OF NEW HAMPSHIRE.

November 7, 1629.

By the Council of New-England to Captain John Mason.

This Indenture, made the Seventh Day of November, Anno Domini One Thousand Six Hundred Twenty-Nine, and in the Fifth Year of the Reign of our Sovereign Lord, Charles, by the Grace of God, King of England, Scotland, France, and Ireland, Desender of the Faith, &c. Between the President and Council of New-England, on the one Part, and Captain John Mason, of London, Esquire, on the other Party: 304 Witnesseth, That whereas our late Sovereign Lord, of famous Memory, King James, for the making of a Plantation, and establishing of a Colony or Colonys, in the Country called

²⁰⁴ This grant is reprinted from the *Historical Collections*, by Ebenezer Hazard, Vol. I. (1792), pp. 289-293.

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or known by the Name of New-England, in America, did by his Highness's Letters-pattents, under the Great Seal of England, bearing Date at Westminster, the Third Day of November, in the Eighteenth Year of his Reign, Give and Grant and Confirm unto the Right Honourable Lodiwick, Duke of Lenox, George, Marquis of Buckingham, James, Marquis Hamilton, Thomas, Earl of Arundel, Robert, Earl of Warwick, Sir Ferdinando Gorges, Knight, and divers others, whose Names are expressed in the said Letters-pattents, their Heirs and Affigns, that they shall be one Body Politick and Corporate perpetuall, and that they should have perpetuall Succession, and one Common Seal or Seals to serve for the said Body; and that they and their Successors shall be known, called, incorporated by the Name of the President and Council, established at Plimouth, for the planting, ruling, and governing of New-England, in America: And also did, of his especial Grace, certain Knowledge, and meer Motion, for Him, his Heirs and Successors, give, grant, and confirm unto the said President and Council, and their Successors, under the Refervations, Limitations, and Declarations, in the faid Letters-pattents expressed, all that Part and Portion of that Country, now commonly called New-England, which is fituate, lying, and being between the Latitudes of Forty Degrees and Forty-Eight northerly Latitude; together with the Seas and Islands, lying within One Hundred Miles of any Part of the faid Coast of the Country aforefaid; and also all the said Soyle, Ground, Havens, Ports, Rivers, Mines, as well Royal Mines of Gold and Silver as other Mines and Minerals, Pearls and Precious Stones, Woods, Quarries, Marshes, Waters, Fishings, Huntings, Hawkings, Fowlings, Commodities, and Hereditaments whatfoever; together with all Prerogatives, Jurifdictions, Royalties, Privileges, Franchifes, and Preheminences within any of the said Territories and the Precincts thereof whatsoever: To have, hold, possess and enjoy, all and singular the said Lands and Premisses in the said Letters-pattents granted, or mentioned to be granted, unto them the faid President and Council, their Successors and Affigns forever, to be holden of his Majesty, his Heirs and Successors.

ceffors, as of his Highness's Manor of East-Greenwich, in the County of Kent, in free and common Soccage, and not in Capite, or by Knights Service; yielding and paying to the King's Majesty, his Heirs and Successors, the one-fifth Part of all Gold and Silver Oare. that from time to time, and at all times from the Date of the faid Letters-pattents shall be thus gotten, had, or obtained, for all Services, Duties, or Demands, as in and by his Highness's said Letterspattents amongst divers other Things therein contained, more fully at large it doth and may appear. And whereas the faid Prefident and Council, have upon mature Deliberation thought fitt, for the better Furnishing and Furtherances of the Plantation in those Parts, to appropriate and allot to feveral and particular Perfons, diverfe Parcels of Lands within the Precincts of the aforefaid granted Premisses by his Majesty's said Letters-pattents: Now this Indenture WITNESSETH, That the faid President and Council, of their free and mutual Confent, as well to the End, that all the Lands, Woods, Lakes, Rivers, Waters, Islands and Fishings, with all the Traffick, Profits, and Commodities whatfoever, to them or any of them belonging, and hereafter in these Presents mentioned, may be wholly and entirely invested, appropriated, served and settled, in and upon the faid Captain John Mason, his Heires and Assigns forever, as for divers special Services for the Advancement of the said Plantation, and other good and sufficient Causes and Considerations them especially thereunto moving, have given, granted, bargained, fold, affigned, aliened, let over, enfeoffed, and confirmed, and by these presents, do give, grant, bargain, fell, affign, aliene, fet over, enfeof, and confirm unto the faid Captain John Mason, his Heires and Assigns, all that Part of the main Land in New-England, lying upon the Sea Coast, beginning from the middle Part of Merrimack River, and from thence to proceed northwards along the Sea Coast to Piscataqua River, and fo forwards up within the faid River, and to the furthest Head thereof, and from thence northwestwards, until three Score Miles be finished from the first Entrance of Piscataqua River, and also from Merrimack through the faid River, and to the furthest Head thereof, 24 and

and so forwards up into the Lands westwards until three Score Miles be finished; and from thence to cross over Land to the three Score Miles, and accompted from Piscataqua River, together with all Islands and Islets within Five Leagues Distance of the Premisses, and abutting upon the same or any Part or Parcel thereof; as also all Lands. Soyles, Grounds, Havens, Ports, Rivers, Mines, Minerals, Pearls, Precious Stones, Woods, Quarries, Marshes, Waters, Fishings, Huntings. Hawkings. Fowling, and other Commodities and Hereditaments whatfoever, with all and fingular their Appurtenances; together with all Prerogatives, Rights, Royalties, Jurisdictions, Privileges. Franchifes, Liberties, Preheminences, Marine Power, in and upon the faid Seas and Rivers; as also all Escheats and Casualties thereof, as Flotfam, Jetson, Lagan, with Anchorage, and other such Duties, Immunities, Scotts Islets, and Appurtenances whatsoever, with all the Estate, Right, Title, Interest, Claim, and Demand whatsoever, which the faid Prefident and Council, and their Successors, of Right ought to have or claim in or to the faid Portions of Lands, Rivers, and other the Premisses as is aforesaid, by Reason or Force of his Highness's said Letters-pattents, in as free, large, ample, and beneficial Manner, to all Intents, Constructions and Purposes whatsoever, as in and by the faid Letters-pattents the fame are amongst other Things granted to the faid President and Council aforesaid, except two-fifths of the Oar of Gold and Silver in these Presents hereafter expressed; which faid Portions of Lands with the Appurtenances, the faid Captain John Mason, with the Consent of the President and Council, intends to name New-Hampshire: To have and to hold all the said Portions of Lands, Islands, Rivers and Premisses, and all and singular other the Commodities and Hereditaments hereby given, granted, aliened, enfeoffed, and confirmed, or mentioned, or intended by these Prefents to be given, granted, aliened, enfeoffed, and confirmed, with all and fingular the Appurtenances and every Part and Parcel thereof, unto the faid Captain John Mason, his Heirs and Assigns forever, to be holden of his faid Majesty, his Heirs and Successors, as of his Highness's Manor of East-Greenwich in the County of Kent, in free and

and common Soccage, and not in Capite, or by Knights Service; nevertheless with such Exceptions, Reservations, Limitations and Declarations, as in the faid Letters-pattents are at large expressed: YIELDING and paying unto our Sovereign Lord the King, his Heirs and Successors, the fifth Part of all the Oar of Gold and Silver, that from time to time, and at all times hereafter, shall be there gotten. had, and obtained, for all Services, Duties, and Demands; and also vielding and paying unto the faid President and Council, and their Successors yearly, the Sum of five Shillings, English Money, if it be demanded, and the faid Prefident and Council, for them and their Successors, do covenant and grant to and with the said Captain John Mason, his Heirs and Assigns, from and after the Sealing and Delivery of these Presents, according to the Purport, true Internt and Meaning of these Presents, that he shall from henceforth, from time to time forever, peaceably and quietly have, hold, possess, and enjoy, all the aforefaid Lands, Islands, Rivers and Premisses, with the Appurtenances, hereby before given and granted, or mentioned or intended to be hereby given and granted, and every Part or Parcel thereof, without any Lett, Difturbance, Denial, Trouble, Interruption, or Eviction, of or by the faid President and Council, or any Person or Perfons whatfoever, claiming by, from, or under them, or their Succeffors, or by or under their Estate, Right, Title, or Interest. And the faid Prefident and Council, for them and their Succeffors, do further covenant and grant to and with the faid Captain John Mason, his Heirs and Assigns, by these Presents, that they, the said President and Council, shall at all times hereafter, upon reasonable Request, at the only proper Cost and Charges in the Law, of the said Captain John Mason, his Heirs and Assigns, do make, perform, suffer, execute, and willingly confent unto any further Act or Acts, Conveyance or Conveyances, Assurance and Assurances whatsoever, for the good and perfect investing, affuring, conveying, and fure-making of all the aforefaid Portions of Lands, Islands, Rivers, and all and fingular the Appurtenances, to the faid Captain John Mason, his Heires and Asfigns, as by him, his Heirs and Assigns, or by their, or any of their Council

Council learned in the Law, shall be devised, advised, or required. And further it is agreed, by and between the faid Parties to these Presents, and the said Captain John Mason, for him, his Heirs and Asfigns, doth covenant to and with the faid President and Council, and their Successors, by these Presents, that if at any Time hereafter there shall be found any Oar of Gold and Silver within the Ground, in any Part of the faid Premisses, that then he the faid Captain John Mason, his Heirs and Assigns, shall yield and pay unto the said President and Council, their Successors and Assigns, one-fifth Part of all fuch Gold and Silver Oar as shall be found in and upon the Premisses, and digged and brought above Ground, to be delivered above Ground, and that always within reasonable and convenient Time if it be demanded, after the finding, digging, and getting up of fuch Oar as aforesaid, without Fraud or Covin, and according to the true Intent and Meaning of these Presents. And the said Captain John Mason doth further covenant for him, his Heirs and Affigns, that he will establish such Government in the said portion of Lands and Islands granted unto him, and the same will from time to time continue, as shall be agreeable as near as may be to the Laws and Customs of the Realm of England; and if he shall be charged at any Time to have neglected his duty therein, that then he will reform the same, according to the Discretion of the President and Council, or in Default thereof, it shall be lawful for any of the aggrieved Inhabitants or Planters, being Tenants upon the faid Lands, to appeal to the chief Court of Justice of the said President and Council: And further, that if the faid Captain John Mason, his Heirs and Assigns, shall at any Time hereafter aliene these Premisses, or any Part, to any foreign Nations, or to any Person or Persons of any foreign Nation, without the especial Lycence, Consent, and Agreement of the said President and Council, their Successors or Assigns, that then the Part or Parts of the faid Lands fo aliened, shall immediately return back again to the Use of the said President and Council: And further, know ye, that the faid President and Council have made, constituted, deputed, authorized, and appointed, and in their stead and place do put Captain

tain Walter Neal, or in his Absence, any other Person who shall be their governor, or other Officer, to be their true and lawful Attorney, and in their Name and Stead, to enter the faid Portion of Lands, and other the Premisses, with their Appurtenances, or into some Part thereof, in the Name of the whole, for them and in their Name, to have and take Possession and Seizin thereof, or of some Part thereof, in the Name of the whole so had and taken, then for them and in their Names, to deliver the full and peaceable Possession and Seisin of all and fingular the faid granted premisses, unto the faid Captain John Mason, or to his certain Attorney or Attornies in that Behalf, according to the true Intent and Meaning of these Presents, ratifying, confirming, and allowing all and whatfoever the faid Attorney shall do in and about the premisses by these presents. In Witness whereof to one part of this present Indenture, remaining in the Hands of Captain John Mason, the said President and Council have caused their Common Seal to be affixed; and to the other Part of these present Indentures remaining in the Custody of the said President and Council, the faid Captain John Mason hath put to his Hand and Seal, given the Day and Year first above written.

A true Copy of the File in the Secretary's Office of New-Hamp-shire.

Attest. Eben. Thompson, Secretary.

IV. GRANT OF LACONIA.

November 17, 1629.

The Grant of the Province of Laconia to S' Ferdinando Gorges & Capt John Mason, the 17th Nov. 1629.

THIS INDENTURE made the seventeenth day of November Anno Domi: 1629 and in the fifth year of the Reign of our Sovereign Lord Charles by the grace of God King of England, Scotland, France & Ireland

Ireland Defender of the Faith &c; Between the President and Councill of New England in the one party & Sr Ferdinando Gorges of London Knt and Capt: John Mason of London Esq: on the other party 806 — Witneffeth that whereas Our late Sovereign Lord of famous memory King James for the making a Plantation and establishing of a Colony in the Country call'd or known by the name of New England in America did by his Highnesses Letters patent under the great Seal of England bearing date at Westminster the third day of November in the Eighteenth Year of his Reign, give grant & confirm unto the Right Honble Lodowick Duke of Lenox George Marquis of Buckingham James Lord Marquis of Hamilton Thomas Earl of Arundell Robert Earl of Warwick S! Ferdinando Gorges Kn! and divers others whose names are express'd in the said Letters Patent their Heirs and affigns that they shall be one body politicque and corporate perpetual and that they should have perpetual Succession and one Common Seal or Seals to ferve for the faid body and that they and their Successors shall be known call'd & Incorporated by the Name of the prefident & Councill established at Plym? for the planting ruling & Governing of New England in America and also did of his special grace certain Knowledge and mere motion for him his heirs & Successors give grant and confirm unto the said president & Councill & their Successors under the reservation and limitations & declarations in the faid Letters Patent express'd All that part & portion of that country now commonly call'd New England which is Situate lying and being between the latitude of Forty degrees & forty eight of Northerly Latitude together with the Seas & Islands lying within one hundred Miles of any part of the faid coast of the Country aforefaid And also all the Lands Soil ground Havens Ports Rivers Mines as well Royal Mines of Gold & Silver and other Mines Minerals

206 This document is printed from a copy recorded in the *Massachusetts Archives*, Vol. III. pp. 140-148, and was transcribed by Mr. Tuttle September 12, 1871; and the proof has been carefully

compared with the copy in the Massachusetts Archives, and corrected by Mr. William B. Trask, the editor of Suffolk Deeds, of which three volumes have been printed by that county.



erals pearls and precious Stones Woods Quarrys Marshes Waters Fishing Hunting Hawking Fowling Commodytes & Hereditaments whatfoever together with all prerogatives Jurisdictions royalties privileges Franchises and Preheminences within any of the said Territorvs & Precincts thereof whatfoever. To have hold poffefs and enjoy all and Singular the faid Lands and premises in the faid Letters patent granted or mentioned to be granted unto them the faid prefident & Councill their Successors & Assigns for ever. To be holden of his Majesty his heirs & Successors as of his Highnesses mannor of East Greenwich in the County of Kent in free and Common Soccage and not in Capite or by Knights fervice Yealding and paying to his Majesty his Heirs & Successors the one fifth part of all Gold & Silver ore that from time to time and at all times from the date of the faid Letters patent shall be there gotten had or Obtained for all fervices dutys or Demands as in and by his Highnesses faid Letters patent amongst divers other things therein contained more full and at large it doth and may appear And whereas the faid prefident & Councill have upon mature deliberation thought fit for the better furnishing & furtherance of the Plantation in those parts to appropriate & allot to Several and particular persons divers parcells of Lands within the precincts of the aforefaid granted premifes by his Majestys said Letters patent. Now this Indenture Witnesseth that the said president & Councill of their sull free and mutual confent as well to the end that all the Lands Woods Lakes loucks Rivers waters Islands & Fishings with all other the Traficks profits and commoditys whatfoever to them or any of them belonging & hereafter in these patents mentioned may be wholly and entirely invested appropriated severed and settled in and upon the said S' Ferdinando Gorges & Capt. John Mason their Heirs and assigns for ever as for divers especial services for the Advancement of the said Plantation and other good and fufficient causes and Considerations them especially thereunto moving have given granted bargain'd fold assign'd alienated fett over enfeofed & confirmed by these presents do give grant bargain fell affign alien fett over enfeofed and confirm unto the faid

faid S' Ferdinando Gorges & Capt. John Mason their Heirs and Asfigns and to their Affociates and fuch as they shall allow of & take into adventure & joyn with them in their Plantations traficks & Discovervs in the Parts hereafter express'd and their Heirs & assigns according to contracts with them to be made All those Lands & Countrys lying adjacent or bordering upon the great Lake or Lakes or Rivers commonly called or known by the Name of the River & Lake or Rivers & Lakes of the Irroquois a Nation or Nations of Savage people inhabiting up into the Landwards betwixt the lines of West and Northwest conceiv'd to pass or lead upwards from the Rivers of Sagadahok & Merrimack in the Country of New England aforefaid Together also with the Lakes and Rivers of the Irroquois and other Nations adjoining the middle part of which Lakes is fituate & lying neer about the Latitude of Forty four or forty five degrees reckoned from the Equinoctial line Northwards as also all the Lands Soils & Grounds within ten Miles of any part of the faid Lakes or Rivers on the South or East part thereof and from the West end or Sides of the faid Lakes or Rivers fo farr forth to the West as shall extend half way into the next great Lake to the Westward and from thence Northwards unto the North fide of the Main River which runeth from the great & vast Western Lakes & falleth into the River of of Canada including all the Islands within the precinct or preambulation decribed. As also all the Lands, Soil, Grounds, Havens Ports, Rivers, Mines Minerals Pearls & precious Stones Woods Quarrys, Marshes Waters Fishings Hunting Hawking Fowling Trade & Trafick with the Savages and other Commoditys & Hereditaments whatfoever with all and Singular their appurtenances together with all prerogatives Rights Royaltys juredictions priveleges franchifes preheminences Libertys Marine power in & upon the faid Rivers & Lakes. As also all escheats and Casualtys thereof as Flotson Jetson & Lagon with Anchorages & other fuch dutys Immunitys fects iflets and appurtenences whatfoever with all the Estate right title Interest Claim & Demand whatfoever web the faid President & Councill & their Succeffors of Right ought to have or claim in or to the faid portions of Lands

Lands Rivers & Lakes and other the premifes as is aforefaid by reason or force of his Highnesses said Letters patent in as free large ample & beneficial Manner to all intents constructions & purposes whatsoever as in & by the faid Letters patent the same are amongst other things granted to the faid prefident & Councill aforefaid Except two fifths of the ore of Gold & Silver in these parts hereafter express'd which faid portions of Lands Rivers Lakes with the appurtenences the faid S' Ferdinando Gorges and Cap' In' Mason with the consent of the prefident & Councill intend to name the Province of Laconia. have & to hold all the faid portions of Land and all the Lakes & Islands therein contained as aforesaid and all & Singular other the premifes hereby given granted aliened enfeoffed & confirmd or mentioned or intended by these presents to be given granted aliened enfeoffed and confirmed with all & Singular the appurtenances & every part & parcell therof unto the faid S' Ferdinando Gorges & Cap' John Mason their Heirs and Assigns & their associates contracts with them for ever. To be holden of his faid Majesty his Heirs and successors as of his Highnesses Mannor of East Greenwhich in the County of Kent in free & Common Soccage and not in Capite or by Knights fervice Nevertheless with such exceptions refervations Limitations & declarations as in the faid Letters patent are at large express'd Yealding and paying into our Sovereign Lord the King his Heirs & Successors the fifth part of all the Ore of Gold & Silver that from time to time and at all times hereafter shall be there gotten & obtained for all fervices dutys & demands And also Yealding & paying unto the said prefident & Councill and their Successors yearly the sum of Ten Pounds of Lawfull Money of England at one intire paymt within ten days after the feast of S; Michael the Archangel Yearly. And the faid prefident and Councill for them & their Successors do covenant and grant to & with the faid S! Ferdinando Gorges and Cap! John Mason their Heirs & assigns and their Associates from & after their fealing & delivering of these presents according to the purport true intent and Meaning of these presents that they shall from henceforth from time to time for ever peacably and quietly have hold posess 25

posess & enjoy all the aforesaid portions of Lands Lakes & Rivers with all the Islands and premises with the appurtenances hereby before given & granted or mentioned or intended to be hereby given and granted & every Part & Parcell thereof without any Lett Difturbance denval trouble interruption or eviction of or by the faid prefident & Counceil or any person or persons whatsoever claiming by from or under them or their Successors or by or under their Estate right Title or interest And the said president & Counceil for them & their Successors do further covenant & grant to & with the said S. Ferdinando Gorges & Capt: John Mason their Heirs & Assigns & their affociates contractors as aforefaid by these presents. That they the faid prefident & Counceil shall at all times hereafter upon reasonable request at the only proper costs and Charges in the Law of the said S' Ferdinando Gorges and Cap' John Mason their Heirs & Assigns & their Associates do make perform suffer execute & willingly consent unto any further Act or Acts conveyance or conveyances Assurance or assurances whatsoever for the good & perfect investing assuring conveying & fure making of all the aforefaid portions of Land Lakes Islands & all & Singular their Appurtenances to the said S. Ferdinando Gorges & Capt. John Mason their Heirs & Assigns & their Affociates as by them their Heirs & affigns & their Affociates or by his their or any of their Counceil learned in the Law shall be devised advised or required And further it is agreed by & between the said Partys to these Presents & the said S; Ferdinando Gorges & Cap! John Mason for them their Heirs Executors Administrators and Assigns & their Associates do covenant to & with the said president and Counceil and their Successors by these presents that if at any time hereafter their shall be found any ore of Gold & Silver within the ground wherein any part of the faid premifes that then they the faid S! Ferdinando Gorges & Capt. John Mason their Heirs & Assigns and Associates shall yeald & pay unto the said president & Councill their Successors & assigns One fifth part of all such Gold & Silver ore as shall be found within & upon the premises & digged & brought above ground to be deliver'd above ground and that always within reasonable able and convenient time if it be demanded after the finding getting & digging up of fuch ore as aforefaid without fraud or cunning and accordingly to the true intent and meaning of those Presents. And the faid S. Ferdinando Gorges & Cap! John Mason do further covenant for them their Heirs & Assigns & their Associates that they will establish such Government in the said Portions of Land & Islands granted unto them and the same will from time to time continue as shall be agreable as neer as may be to the Laws & Customs of the Relm of England & if they shall be charged at any time to have Neglected their duty therein that then they will reform the same according to the Directions of the president & Counceil or in default thereof it shall be Lawfull for any of the agreiv'd Inhabitants or Planters being Tenants upon the faid Lands to appeal to the Chief Courts of Justice of the faid prefident and Counciel and the faid S. Ferdinando Gorges & Cap! John Mason do Covenant & Grant to and with the said Prefident & Counceil their Successors and Assign's by these Presents that the faid S' Ferdinando Gorges & Cap' John Mason shall & will befor the expiration of three Years to be accounted from the day of the Date hereof have in and upon the faid portions of Lands or some part thereof one Fort with a Competent guard & ten Familys at the least of his Majestys Subjects resident and being in & upon the same premifes or in default thereof shall & will Forfit & loose to the said prefident & Counceil the Sum of One Hundred Pounds Sterling Money & further that if the faid S' Ferdinando Gorges & Cap! John Mason their Heirs and Assigns or Associates shall at any time hereaster alien these premises or any part thereof to any Foreign Nation or to any person or persons of any Foreign Nation without the Special license consent and agreement of the said President & Counceil their Succesfors or Assigns that then the part or parts of the said Lands so alien'd shall Immediately return back again to the use of the said president & Counceil And the faid President & Counceil for themselves and their Successors do further covenant & Grant to and with the faid S! Ferdinando Gorges & Cap! John Mason their Heirs & Assigns and Associates And by these Presents that it shall & may be Lawfull at all times hereafter

hereafter to and for the faid S! Ferdinando Gorges & Capt. John Mafon their Heirs Assigns & their Associates and the Deputys Factors Servants & Tenants of them or any of them to have free Egress Regress way and Passage to enter & pass into & Return from and to any of the faid demised Lands Lakes & Rivers with their Ships boats Barkes or other Vessells with their munition & their Cattle and Commoditys of what nature foever from by & through any of the Lands Rivers Harbours Creeks or Sea Ports upon the Sea Coasts or Frontier parts of New England aforefaid belonging to the Prefident & Counceil aforefaid without any Lett trouble Interruption molestation or hindrance of them the faid President & Counceil their Successors or Assigns or if any other person or Persons claiming under them or by their Means or procurement. And for the better accommodation of them the faid S' Ferdinando Gorges & Cap! John Mason their Heirs Assigns and Affociates in their intended Traficks & Plantations above in the faid Lakes of the Irroquois whither their Goods and Merchandises from the Sea Ports are to be after Landing Transported, it shall be Lawfull for them to make chois of & take & possess for the use of them the faid S' Ferdinando Gorges & Cap' John Mason their Heirs Assigns & Affociates and their Deputys Factors Tennants and Planters of their Colonys in any of the Parts Harbours or Creeks in New England lying most Commodious for their Passage up into the said Lakes One Thousand Acres of Land upon the fide or fides of such Harbours Ports Rivers or Creeks where the same is not yet disposed of to any other persons by the said President & Counceil And the Lands by them shall be Holden Posessed & enjoy'd as freely and with as ample privileges Juredictions and Commoditys in all respects as any other the Lands above in these Presents demised & granted unto them. And further know ye that the faid prefident and Counceil have made constituted deputed Authorized and Appointed And in their place and flead do put Edward Godfrey or in his absence to any other person that shall be their Governor or other Officer to the President and Counceil to be their true & Lawfull Attorney and in their Name and Stead to enter the faid Portion of Land and other premises with their **Appurtenances**

Appurtenances or into some part thereof in Name of the Whole for them & in their Name to have & take Posession and Seizing thereof or and after such Posession and Seizing thereof or some part therof in the name of the whole so had & taken then for them & in their Name to deliver the full & peacable Pofession & Seizing of all & Singular the faid granted premifes unto the faid S' Ferdinando Gorges & Cap! John Mason or to their certain Attorney or Attorneys in that behalf according to the true intent and meaning of these presents ratifying confirming & allowing all and whatfoever their faid Attorney shall do in or about the premises by these Presents. In witness whereof to one of these present Indentures remaining in the Hands of the faid S; Ferdinando Gorges & Cap; John Mason the faid president and Counceil have caused their Common Seal to be affixed and to the other Part of these Present Indentures remaining in the Custody of the faid Prefident & Counceil the faid S. Ferdinando Gorges & Cap! John Mason have put to their hands & Seals giving the day and Year first above written.

These are to Certify that the foregoing is a true Copy of the Original Enter'd upon Record in the Office of the Lords Commissioners for Trade and Plantations.

John Pownall
Secretary

WHITEHALL
Febry 17, 1763

V. GRANT

V. GRANT OF PESCATAWAY.

November 3, 1631.

Grant & Confirmation of Pescataway to S. Firedinado Gorges & Capt. Mason & others Ano 1631.

This Indenture made the 3d day of Nouem! Ano Dm 1631: and in ye 7th yeere of ye Reigne of our Souaigne Lord Charles by the Grace of God of England Scotland France and Ireland King Defender of the ffaith &c:806 Betweene the prefid! & Councill of New England on ye one pt and S: Ferdinando Gorges Kn! Cap! John Mason of London Esq! and their Associates John Cotton, Henry Gardner, Geo. Griffith, Edwin Guy, Thomas Wannerton, Thomas Eyre and Eliez^r Eyer on ye other py Wittnesseth. That whereas our late Soueraigne Lord of famous memory King James for the makeing of a Plantacon and establishing of a Colonie, or Colonies in ye Countries called or knowne by the name of New England in America, did by his Highnesses Lies patents under the Great Seale of England, bearing Date at Westin ye 3d day of Nou! 1620 give grant and confirme unto the R' Hon. be Lodwicke Duke of Lenox, Geo. Marques of Buckingham, James Ld Marques of Hamilton, Thomas Earle of Arundale, Robert Earle of Warwicke, S! Ferdinando Gorges Kn! and diuerse others whose names are expressed in the sd Lres Pat their Heires and Assignes, that they shalbe one body Politique, and Corporate perpetuall, and that they should have perpetuall Succession, and one Common Seale or Seales, to serve for the faid Body, And that they and their Successors shalbe knowne, called and incorporated by ye name of the prefid; & Councill established at Plym; for the planting ruling and gouerning of New England in America, and did of his especiall

²⁰⁶ This grant is printed from a copy Public Record Office, Colonial Papers, made for Mr. Tuttle from the British Vol. VI. Art. 28.

especiall Grace, certaine knowledge, and mere mocon for him his Heires and Success¹⁰ give, grant, and confirme unto the st. presid. and Councill and their Successian under ve, Reservacions, Limitacions and Declaraçons in the fd Lres pat. expressed All that part and porcon of ve Countrie now commonly called New England weh is fituate, lying. and being betweene ye latitude of 40 gr and 48 of North'ly latitude, Togeather wth ye Seas and Islands lying wthin 100 Miles of any port of yo fd Coasts of yo Countrie aforesd. And also all yo Lands, Soyles, Grounds, Havens, Ports, Rivers, Mines as well Roy" Mines of Gold and Silver as other Mines, Min'alls Pearles and precious stones, Woods, Quarries, Marshes, Waters, ffishings, Hunting, Hawking ffowling, Commodities and Hereditam's wfoever, togeather wth all Prerogatiues, Jurisdicons, Royallties, priuiledges, ffranchises, and Preheminences whin any of the fd Territories and ye preincts thereof wfoeuer. To have hold possess and enjoy all and singuler the said Lands and p'misses in ye sd Lres pat granted or menconed to be granted unto them ye fd prefidt and Councill their Successors and Affign for euer. To be holden of his Matte his heires and Successors. as of his Hsse owne man! of East Greenweh in the Countie of Kent, in free and Common Soccage and not in Capite or by Knights Service. Yeilding and paying to the King's Matte his Heires and Succeffr the one 5th part of all yo Gold and Siluer Oar that from time to time, and at all times from ye date of the fd Ltes pat shalbe there gotten had or obteined for all Services duties or demands as in and by his H: Lres pat: amongst divs other things therein conteined more fully and at large it doth and may appeare, and whereas the fd Prefid! and Councill have upon mature deliberacon thought fitt for the better furnishing and furtherance of ye Plantacon in these parts to appropriate and allott to festall pticuler pions diverse pcells of land whin the princes of the afores granted prinsses by his Man sd Lres pat. Now this Indenture Witnesseth that the sd Presid! and Councill of their full free and mutuall confent, as well to ye end that all the lands, Woods, Lakes, louches Rivers, Waters, ponds, Islands and Fishings, wth all other Traffique, Proffitts, and Commodities whatfoeuer

foeuer to them or any of them belonging, and hereafter in these pats menconed may be wholly and entirely invested appropriated feauered and fettled in & vpon ye fd Sir fferdinando Gorges, Capt. John Mason and their Associates, John Cotton Henry Gardner. George Griffith, Edwin Guy, Thomas Wannerton, Thom: Eyre & Eliezer Eyre as by divers speciall Services by them already done for the advancement of the fd plantacon by makeing of Clapboards and Pipe-staues — makeing of Salt panns, and Salt, transporting of Vines for makeing of Wines fearthing for Iron Oare being all businesse of very great Consequence for causeing of many Soules, both men, women and boys and store of Shipps to be employed thither, and so in short time proue a great Nursery for Shipping and Mariners, and also a great helpe to such as in this Kingdome want good Im-And further for yt the fd Sr fferd: Gorges, Capt. John Mason and their said Associates John Cotton, Henry Gardiner, Geo: Griffith Edwin Guy, Thom. Wannerton, Tho. Eyre and Eliezer Eyer haue by their Agents there taken great paines and spent much tyme in the discouering of the Countrie all we hath cost them (as we are credibly Informed) 3000¹ and upwards, which hitherto they are wholly out of purfe, upon hope of doing good in time to come to ye publicque, and also for other good and sufficient Causes and Confideracons the fd prefidt and Councill especially thereunto moueing. Haue giuen granted bargained fold affigned, aliend, fett ouer enfeoffed and confirmed and by these pats do give grant, bargaine, sell assigne, aliene fett ouer enfeoffe and confirme unto the fd fferdinando Gorges Capt John Mason, John Cotton, Hen: Gardner Geo. Griffith Edwin Guy, Thom. Wannerton Thom. Eyere and Eliezer Eyre their Heirs and Assignes for ever All that house and cheife habitacon situate and being at Pascataway ars Passataquack ars Bassaquacke in New England aforefaid. Wherein Capt. Walt. Neale and ye Colony wth him now doth or lately did reside togeather wth the Gardens and Corne ground occupied and planted by the fd Colonie, and the Salt workes all ready begun as aforef^d And also all that porcon of Land lying whin the precincts hereafter menconed, beginning vpon the Sea coast about 5 miles

miles to the wward of or from the fd cheife Habitacon or Plantation now possessed by the sd Capt. Walter Neale for ve use of the Aduenturers to Liconia (being in the latitude of 43 degr or thereabouts in the Harbour of Passataquack als Bassataquack aly Passataway, and fo forth from ye fd beginning Eastwd & North eastwd and so proceeding Northw^{ds} or North Westw^{ds} into y^e Harbour and River along the Coasts & Shoares thereof including all the Islands and Islets lying win or neere unto the same vpwards unto the head land opposite unto the plantacon or Habitacon now or late in the Tenure or Occupation of Edw. Hilton, & from thence, Wiw and South Wiw in ye midle of the Riuer and through the midle of ye Bay or Lake of Bequacack ats Bassaquack or by what other name or names it hath towards the bottome or Westermost part of ye River called Pascasfockes to the falls thereof, and from thence by an Imaginary Line to pass ouer, and to the Sea, where the pambulacon begann Togeather wth all ye Lands, Soyle, Ground, Wood, Quarries, Mines, ffishing Hunting Hawking flowling Comodities and Hereditam" whatfoeuer, Togeather also wth all Progatives, Jurisdicons Royallties, Privileidges, ffranchises and Preheminences whin ye precincts of land conteined whin ye limits or bounds afores. And also the Isles of Shoales, and yº ffishings thereabouts and all the Seas whin 15 miles of the foresd Sea Coasts, And also all the Sea Coasts and land lying on ye East and Northeast side of the Harbour and River of Pascataway aforesd and opposite to the bounds above menconed, beginning 15 miles to ye S: eastwards of ve mouth or first entrance and beginning of the said Harbour, and so vpp to ye falls and into the ponds or Lakes that feed the fd ffalls, by the space of 30 miles, including the fd ponds or Lakes and the Shoares thereof, and so crossing into the Landward, at a right angle by the space of 3 miles the whole length thereof from you for mouth or first entrance from the Sea and Eastwds into ye Sea weh sd 3 Miles shalbe allowed for ye breadth of ye sed land last menconed both vpon ye land and Sea, As also all ye Land, Soyle, Ground, Woods, Quarries, Mines, ffishinge, Hunting Hawking ffowling Commodities and Hereditam" whatfoever togeather wt all prerogatives Jurisdicons Royallties

Royallties Privileidges ffranchifes and pheminences whin the pcincts of land last menconed, conteined. To have and to hold all ye sa House and Habitacon porcons of Land and all Lakes and Islands therein conteined as aforesaid, and all and singular other ye pmisses hereby giuen, granted, bargained, fold, aliened, enfeoffed, and confirmed, wth all and fingular thappurtences and every part and picell thereof unto ve fa Sr fferdinando Gorges, Capt. John Mason John Cotton, Henry Gardner Geo. Griffith Edwyn Guy, Thomas Wannerton, Thomas Eyre and Elyezer Eyer to ye only vse & behoofe of them ye fa Sr fferd: Gorges &c. for ever. Yeilding and paying unto our Souer Ld ve King his Heirs and Successors to of all ye Oare of Gold and Silver that from time to time and at all tymes hereafter shalbe there gotten had & obteined for all Seruices, duties and demands, and also yeilding & paying unto the st presidt Councill and their Successor every yeere yeerely for ever 40° sterle at ye ffeast of S! Mich: tharchangell if it shalbe lawfully demanded, at the Assurance House on the West side of the Roy" Exchange in London. And the sd prefid & Councill for them & their Success? do Covenant and Grant to and wth yo fa Sr fferdin: Gorges, Capt. John Mason and their said Associates John Cotton Henr. Gardner Geo. Griffith Edwyn Guy Thom. Wannerton, Thom. Eyer and Eliezer Eyre their Heires & Assignes by these pats that from thensealing and deliuery hereof according to ye purport, true intent and meaning of these pats they the fa S. Ferdinan, Gorges, Capt. John Mason and their fa Associates John Cotton Henry Gardner, Geo. Griffith, Edwin Guy, Thom. Wannerton Thom. Eyer and Eliezer Eyre, their Heires and Assignes shall from tyme to tyme for euer peacably and quietly haue hold possesse and enjoy all thatores House and Cheife Habitacon porcons of Land wth all ye Islands and prmisses wth thappurtences hereby before given and granted or menconed, meant or intended to be hereby giuen and granted, and every part and parcell thereof, whout any Lett, disturbance, denyall trouble interrupcon or eviccon of or by ye fd President and Councill or any pson or psons whatsoeuer clayming by from or vnder them or their Successors or by or under their Estate,

Estate, Right, Title or Interest And the st presidt and Councill for them and their Successors do further Covenant and grant to and wth ve fa St fferd. Gorges, Capt. John Mason, and their Associates John Cotton, Henry Gardner, Geo. Griffith Edwyn Guy, Tho. Wannerton. Thom: Eyre and Eliezer Eyre their Heirs and Ass by these pñts that they the fa presid and Councill shall at all time & times hereafter vpon reasonable request at the only proper Cost and Charges in the Law of the fd Sr ferdin. Gorges, Capt. John Mason and their st Associates John Cotton Henry Gardner, Geo. Griffith Edwin Guy Tho. Wannerton Tho: Eyre and Eliezer Eyre their Heires and Aff: do, make pforme, fuffer execute, and willingly consent unto any further Act or Acts, Conveyance or Conveyances. Assurance or Assurances for the good and psect Investing, Assuring, Conveying, and fure making of all the aforef Houses and Habitacon. porçons of Land, Islands and all and singular other the Smisses wh thappurtences to the fd Sr fferd. Gorges Capt. John Mason and their fd Affociates John Cotton Henry Gardner George Griffith Edwyn Guy, Thomas Wannerton Tho. Eyere and Eliezer Eyre their Heires and Assignes, as by them their Heires or Assignes, or by his or their or any of their Councill learned in the Law shalbe devised or advifed or required, And further Know yee that the fd presid! and Councill haue made, conflituted deputed, authorized appointed, and in their place and deed do putt Capt. Thom: Camack Henry Jocelin, or in their absence to any other pson that shalbe their Gouernor, or other Officer, to the prest and Councill to be their lawfull Attorny and in their name & stead to enter into the fd House and Habitation porcons of Land and other ye pmisses aboue given and granted wh their apptences, or into some pt thereof, in the name of the whole for them and in their name to have and take possession and seizin thereof, and after such Possession and Seizin so thereof or of some part thereof in the name of the whole so taken and had, then for them and in their names, to deliuer full and peaceable possession and Seizin of all and Singular the fd granted pmisses unto ye fd S. Ferdinando Gorges Capt. John Mason and their said Associates John Cotton

Cotton, Henry Gardner, Geo. Griffith, Edwyn Guy Thomas Wannerton, Thomas Eyre, and Eliezer Eyre, or vnto their certaine Attorny or Attornys in that behalfe, according to the true interest and meaning of theife pats, Ratifying Confirming and Allowing all and whatfoeuer their faid Attorny shall do in or about the pmisses by these pnts. In Wittnesse wherof the said president and Councill to two parts of these presents both of one Tenor haue Sett their Common Seale and to one part thereof the fa Sr. Ferdin: Gorges, Capt. John Mason, John Cotton, Henry Gardner, Geo. Griffith, Edwin Guy, Tho: Wannerton, Thom: Eyre and Eliezer Eyre, haue fett their hands and Seales the day and yeere first aboue written.

VI. GRANT OF NEW HAMPSHIRE AND MASSONIA.

APRIL 22, 1635.

Grant of New-Hampshire and Massonia to Captain John Mason.

THE patent of April 22, 1635, is intended, as is therein stated, to confirm to Capt. John Mason the right to the territory assigned him by the Council for New England at its feffion February 3, 1634-5. The record of that fession is printed in the "Proceedings of the American Antiquarian Society" for April, 1867, and pages 114 to 118. The Company having decided to furrender its charter to the king, its territory was divided by the Council at that meeting into eight divisions, which are severally entered on the record.

307 The number of the Proceedings of the American Antiquarian Society for April, 1867, pp. 51-131, contains all the records of the Council for New England that are now known to be in existence. 29, 1623, and from November 4, 1631, to pp. 49-60.

November 1, 1638. The editor of these records, Charles Deane, LL.D., prefixes to them a valuable historical introduction. Further remarks on the records by Dr. Deane will be found in the Proceedings They run from May 31, 1622, to June of the same Society for October, 1875,

record. No. 1 is affigned to Thomas Howard, Earl of Arundel and Surrey; No. 2, probably to James Stuart, Duke of Lenox; 808 No. 3, probably to James Hay, Earl of Carlifle; 808 No. 4, probably to James Hamilton, Marquis of Hamilton; 808 No. 5, to Edward Gorges; No. 6, to Capt. John Mason; No. 7, to Sir Ferdinando Gorges; and No. 8, to William Alexander, Earl of Stirling. The form of conveyance, the bounds of the tracts of the several grantees, and the signers to the conveyances are entered on the record. The bounds of Mason's division are thus given:—

To beginn at y° middle of Namekeck harbour or river & from thence to proceed E. ward along y° fea coast to Cape Anne. & round about y° fame into Pascataway Harbour. & so forth wards up within y° river of Newichewanock, & to y° furthest head of y° said river, & from thence N. W. ward till 60 miles be finished from the first entrance of Pascataway harbour. Also from Namekeck from the Harbour & river thereof up into y° Land west 60 miles, from which period to crosse over land to the 60 miles end accounted from Pascataway thross Newichewanock River into y° Land N. West as aforesaid; & hereunto is to belong y° south halfe of y° Isles of Shoales & 10,000 Acres on y° S. East part of y° River Sagadahock at y° Mouth or Entrance theros.

Signed by

Lenox,

Arundell & Surrey,

Carlile,

S' Ferd. Gorges.

Appended to the record of February 3, 1634-5, is the following entry:—

Memorandum, that to all these particular grants of the Divisions aforesaid did signe with their own hands upon ye 14th of Aprill solutions

²⁰⁸ No names are affixed on the record fons named is that No. 2 is not recorded to these divisions. My reason for thinkard as figned by Lenox, nor No. 3 by ing that they were affigned to the per-

lowing all y° above named Lords and others, and theruppon they had every one his particular division delivered out unto them.

Memorand. the 18th day of Aprill following Leases for 3000 yeares were made of the several divisions to severall psons intrusted for their benefitts.

Memorand. the 22^d day of Aprill feveral deeds of feoffment were made unto the feveral proprietors of their feverall parts fo to them allotted by the Divisions aforesaid.

In the Rev. William Hubbard's "History of New England," Vol. I. pp. 231, 232, is preserved a copy of the deed to Mason, under this division with the signatures. It is as follows:—

Forasmuch as by a mutual agreement, we whose names are subfcribed, Patentees or Adventurers, and of the Council of New England, are to join in the surrender to his Majesty of the Great Charter of that country, which was granted to us in the 18th year of the reign of King James, of blessed memory; in whose presence, Feb. 3, 1634, 309 lots were drawn for settling of divers and sundry divisions of lands

There is no date here in the record of the Council for New England. The editor of the second edition of Hubbard's New England, the late William Thaddeus Harris, A.M., conjectured that the third figure in the year given in the manuscript of that history was a mistake, and that the date intended was 1624. But fince the appearance of that edition the Council record for the meeting when lots were drawn in the prefence of King James has been discovered, and we find that it was held on Sunday, June 29, 1623. The Hon. John G. Palfrey, LL.D., in his History of New England, Vol. I. pp. 400, 401, expresses the opinion that the phrase "in whose prefence" refers to the Council, and not to King James, and that the date in the manuscript, February 3, 1634, represents

truly the time when the division referred to was made. I must dissent from this conclusion for these reasons: 1. It will be observed that this division was made by drawing lots. Now at the division at Greenwich June 29, 1623, in the presence of James I., this was the case, for the record explicitly states that lots were drawn, and that the king drew the first lot for the Duke of Buckingham, who was absent. On the contrary, at the meeting February 3, 1634-5, fome other mode of allotment must have been used, as the territory allotted to Gorges and Mason was that to which they had previous claims, by improvements which they had made, and by grants which they had received. The two divisions affigned to them united extended from Naumkeag to Sagadahock, the fame

lands on the fea coasts of the said country, upon most of us, who hitherto have never been confirmed in the lands fo allotted:

And to the intent that every one of us, according to equity, and in fome reasonable manner, answerable to his adventures, or other interest, may enjoy a proportion of the lands of the said country, to be immediately holden of his Majesty: 810 We therefore do condescend, and

agree.

territory that is comprised in the two grants of 1622, namely, that of Mariana to Mason extending from Naumkeag to the Merrimac, and that of the Province of Maine to Gorges and Mason, extending the Merrimac to the Sagadahock. The chances are very small indeed that this could have happened if lots had been drawn. 2. It is here stated that most of those who received lots at this time had "never been confirmed in the lands fo allotted," and the fame language is used in the record. This indicates that fome confiderable time had elapfed between the division and the entry on the record. 3. The grammatical "construction of the fentence would naturally refer the words 'in whose presence' to the king." This Dr. Palfrey admits. I cannot doubt, therefore, that the date February 3, 1634, has been interpolated. As we have only a transcript of Hubbard's history, it is possible that in his original manuscript the author placed in the margin the date of the meeting when the instrument was authorized to be made, and the copyist erroneously transferred the date to the body of the instrument.

⁸¹⁰ In pursuance of the design here stated that these grants should be "immediately holden of his Majesty," the Council for New England petitioned the king to order the Attorney-General to draw up for the grantees "feveral patents of fuch parcels of land as by their mutual confent have been allotted to them, and to have the same Patents

fignature, with fuch titles, privaleges [and] immunities as have been here-tofore granted." Vide History of New England, by W. Hubbard, Vol. I. p. 230, where the petition is printed in full. The draught of this petition is entered on the records of the Council April 26, 1635. Vide Proceedings of the American Antiquarian Society, April, 1867, pp. 119, 120. The Council for New England presented a petition to the Privy Council, apparently in connection with that to the king, in relation to the refignation of their patent and the iffue of royal patents for the feveral divisions which are specifically described. Instead, however, of eight divisions, as on the record, twelve are named in the petition; and instead of the numbers of the lots beginning at the fouth and running north, the numbers here begin at the north and run fouth. The petition also asks that the patent of the Massachusetts Bay Company be revoked, and that a government for the whole country be established, and a governor-general be appointed. Extracts from this petition are printed in the History of New England, by W. Hubbard, Vol. I. pp. 227-230. On the Council records will also be found other matters relating to the furrender of the Great Charter, such as draughts of the Declaration of the Council, and of the Act of Refignation, both under April 18, 1635; and under April 26, 1635, a form for a proclamation by the king establishing a general government for New England. Vide Council Records prepared fit for your Majesty's royal in Proceedings of the American Antiquarian

agree, that all the part of the seacoast of the country aforesaid, shall belong to Captain John Mason, to begin at the middle of Naumkeek River, and from thence to proceed eastward along the seacoast to Cape Anne, and round about the fame into Pascatagua Harbor, and fo forward up the River of Newichawanock, and to the furthest head of the faid river, and from thence northwestward, till fixty miles be finished from the first entrance of Pascataqua Harbor. Also from Naumkeek through the harbor and river thereof, up into the land west fixty miles; from which period to cross over land to the fixty miles end, accounted from Pascataqua, through Newichawanock River, and into the faid land northwest as aforesaid; and hereunto is to belong the fouth half of the Isle of Shoals, and ten thousand acres of land on the southeast part of Sagadehock, at the mouth or entrance thereof.

Saving and referving out of this Division, to every one that hath any lawful grant of lands, or Plantation lawfully fettled in the fame, the freeholding and enjoying of his right, with the liberties thereunto appertaining, laying down his jura regalia, if he have any, to the Proprietor of his Division, wherein his land lies, and paying some fmall acknowledgment, for that he is now to hold his faid land anew of the Proprietor of his Division.

LENOX. STARLING. HAMILTON. EDWARD GORGES. Arundel & Surrey. FERD. GORGES. CARLILE.

Concordat cum originali, facta collatione per me.

THOMAS MAYDWEL, Notar. Publicum.

As

quarian Society for April, 1867, pp. 119- uscript copy in the British Public Record 128, and Dr. Deane's notes on the same. The Act of Refignation, the date of No. 66. The Declaration is printed in which in the record is left blank, was Historical Collections, by E. Hazard, Vol. figned June 7, 1635. A printed copy I. pp. 390-392. An attempt was made will be found in *Historical Collections*, in that year to vacate the Massachusetts

Office, London, Colonial Vol. VIII. by E. Hazard, Vol. I. p. 393, and a man-charter as defired by the petitioners.



As before stated, the form of this document and of the several other conveyances under this allotment is entered on the record of the Council February 3, 1634-5. But it is not all in one place. The portion preceding the name of Capt. John Mason is prefixed to the record of the division to the Earl of Arundel and Surrey, which is the first division recorded; the bounds are in another place, and the last paragraph in the document follows the record of the eighth and last division.

The grant was confirmed under seal, April 22, 1635, by the Plymouth Company, and two deeds of nearly the same tenor are on record in the Regiftry of Deeds of York County, Maine, Book II. pp. 14 to 17. They have been copied for me by Mr. William M. Sargent, and Portland, Maine, and are as follows: ---

This JNDENTURE made, the Two & twenteth day of Aprill, In the Eleaventh yeare of our Soveraign Lord, Charles by the grace of god, King of England, scottland, france, & Ireland, Defend of the faith &c: betwene the Councell established at Plymouth In the Plimouth County of Deavon for the planting ordering ruleing & Council governing of New England, in America on young part, & & Cap' John Masone Esq' on the other part, Witnes-Inº. Mason feth / That w'as our late Soueraign Lord King James of bleffed

Vide The Quo Warranto of 1635, by Mr. G. D. Scull in the New England Historical and Genealogical Register, Vol. XXXVIII. pp. 209-216. Sir Ferdinando Gorges feems to have been the only one of the eight persons to whom lands were affigned February 3, 1634-5, by the New England Council, who had the right to these lands confirmed by the king. This was done by charter April 3, 1639. This charter is printed in *Historical Collections*, by E. Hazard,

Council record, except that on the record the territory extends only fixty miles inland, while in the charter it extends one hundred and twenty miles.

311 The first volume of the York Records of Deeds has just been published under the supervision of the Maine Historical Society, with pecuniary aid from the State of Maine. Mr. Sargent, who is remarkably well qualified for the work, is the editor of the volume. The records of York County, Maine, are pre-Vol. I. pp. 442-455. The bounds in ferved at Alfred, the shire town. They the charter are the same as on the are the oldest records in the State.

bleffed memory, by his highness Letters pattents under the great feal of England, bearing date at Westminster the third day of Novembr In the eighteenth yeare of his highnesse Reign over the Realme of England, for the confiderations In the fame letters pattents expressed, hath absolutely given granted & Confirmed vnto the fayd Councell & their fucceffors for ever, all the Land of New England In America lijng & being In breadth from fourty degrees of Northerly latitude from the æquinoctiall Lyne, to fourty eight degrees of the fd Northerly latitude Inclusively, & In length of & with in all the breadth aforesd, through out the Mayn Land from sea to fea, togeather alfoe with all the firme Lands, foyles, grounds Havons, Ports, Rivers, Waters, fishings Mines, and Mineralls as well Royall mines of gould & filver as other Mines & Mineralls, pretious stones quarries, & all & fingular other commoditys Jurisdictions, Royaltys, priviledges, frantises, & præheminences, both with in the sd Tract of Land, vpon the Mayn, & alfoe with in the Islands, & seas adjoyning (as by the fd Letters Pattents amongst diverse other things their in contayned, more at Large doth & may appeare)

Now this Indenture further Witnesseth, that yo sid Counsell in Prformance of an agreement made by & between them selues, & Jnacted the third day of February last past before the date of these Prefents, for a competent some of Money. & alsoe for diverse other good causes & considerations them the sayd counsell herevnto espetially moueing, haue given granted barganed fould, Inffeeffed & confirmed, & by these Presents do give grant bargan sell Inseoffe & confirme vnto the fd Cap' John Mayfon his heyres & affignes, all that part purpart & portion of the Mayn Land of New England aforefd, begining from the Middle part of Nahumkege River & from thence to proceed Eastward along the sea Coast to Cape Ann, & round about the same to Pischataqua harbour, & soe forward vp with in the River of Newgewanacke, & to the furthest head of the sd River, & from thence Northwestwards, till sixty Miles bee finished from the first entrance of Pischataqua Harbour, & alsoe from Nauumkeage through the River there of vp into the land West sixty Miles, from which perioud

perioud to croffe over Land to the fixty Miles end, accompted from Pischatagua through Newgewanacke River, to the Land Northwestward aforeid. & alioe all that South halfe of the Yles of shoales togeather with all other Iselands & Iseletts as well Imbayd, as with in five Leagues distance from the Premisses. & abutting voon the same or any part or Prcell thereof, not otherwife granted to any by spetiall name; All which Part & portion of Lands Islands & Prmisses are from hence forth to bee Called by the name of New Hampshyre/ And alsoe the sd Counsell for the Considerations aforesd, have given granted barganed fould Infeoffed & confirmed, & by these psents do give grant bargan fell Infeoff & confirme vnto the fd Capt John Mayfon his heyres & assignes all that other Prcell or portion of Lands, woods & wood grounds, lijng on the South East Part of the River Sagadehocke In New England aforefd, at the Mouth or entrance thereof, Contayneing, & to contayn there tenn thousand Acers/ Which fd other Prcell of Lands from hence forth is to bee Called by the name of Massonia/ And moreouer the sd counsell for the considerations aforefd, have given granted barganed fould, Infeoffd & Confirmed, & by these Presents do give grant bargan sell Infeoff & confirme vnto the fd Capt John Mason his heyres & assigns, togeather with the fd barganed Premisses, all the firme lands soyles grounds Havons, Ports Rivers, waters fishings, Mines & mineralls, as well Royall Mines of gould & filver, as other Mines & Mineralls, prætious stones quarries, & all & fingular other Comoditys, Jurisdictions Royaltys, privilidges frantises, & preheminences both within the sd Tracts of Land vpon the Mayn, & alfoe with in the Ylands & feas adioyneing/ Saveing, excepting, & referving, out of this Present grant onely the fifth Part of all the oare of gould & filver due to his Majestys heyres & Succeffors, & In & by the fd recited Letters Pattents referved/ To haue & to hould all those the sd severall Prcells of Land. & all the other sd barganed Premisses, with their & euery of there appurtenacs (except before excepted) vnto the fd Capt John Mason, his heyres & assignes, to the onely proper vss & behalfe of him the sd Capt John Mason, his heyrs & assigns for ever, & to bee Jnioyed as fully freely & Jn as large ample & benefitiall manner & forme to all Jntents & purposes w'soeuer, as they the sid Counsell & their successors by vertue of the sid recited letters Pattents might or out to have hould & Jnioy the same or any Part or Prcell there of / Jn witness w'of to the one Part of this Present Jndenture, remaneing in the hands of the sid Cap' John Mason, they the sid Counsell have afixed their Coman seal/ to the other Part of this Present Jndenture remaining Jn the hands of the sid Counsell, the sid Cap' John Mason hath sett two his hand & seal dated the day & yeare first aboue written/ Anno: Dom: 1635: & sealed with the seal of the sid Counsell thereon appended/

Vera Copia/

Fred: Ixem Noto" pub"us

1664:

A True Coppy transcribed out of the original Coppy this 25 May: 1667: & there with Compared p EDW: RISHWORTH Re: Cor:

To all Christean people vnto whom these Presents shall come, the Councell for the affayres of New England Jn America fend greeteing in o' Lord god everlasting / W'as our late Soueraign Ld King James of bleffed memory, by his highness letters pattents vnder the great feal of England beareing date at Westminster the third day of Novemb' In the eighteenth yeare of his Reign over his highness Realme of England, for the Confideration In the deleters Pattents expressed. & declared, hath absolutely given granted & Confirmed vnto thesd counsell, & their successors for ever, All the land of New England In America, lijng & being in breadth from fourty degrees of Notherly Latitude from the equinoctiall Lyne to fourty eight Plim: Council degrees of the fd Notherly latitude Jncluseively, & Jn To length of and with in all the breadth aforefd, from fea Ino Mason to sea, togeather alsoe with all the firme Lands Soyles grounds, havens ports Rivers, Waters, fishings, Mines, & Mineralls as

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Well

Well Royall Mines of gould & filver as other Mines, & Mineralls pretious stoons quaries, & all fingular other commoditys, Jurisdictions Royaltys, priviledges Frantisces, preheminences, both with in the sd Tract of Land, vpon ye Mayn & alfoe within the Yslands & seas Adjoyneing, as by the fd letters pattents, amongst diverse other things therein Contayned, more at large, doth & may appeare; Now know all men by these psents. That ye sd Counsell of New England in America being affembled In publick Court, according to an act made & agreed vpon the third day of February last past, before the date of these Presents, for diverse good causes & considerations, them y vnto espetially moueing, Have given, granted, aliened barganed & sould, & in & by these Presents do for them & their successors, give, grant, aliene bargane fell & confirme vnto Capt John Mason Esqt, his heyres & affignes, all that part of the Mayn Land of New England aforeid, begining from the Middle part of Navmkeck River, & from thence to proceed Eastwards along the sea Coast to Cape Anne & round about the same to Pischataway Harbor, & soe forwards vp with in the River of Newgewanacke, & to ye furthest head of the sd River, & from thence North Westwards, till fixty Miles bee finished, from the first entrance of Pischataqua Harbor & alsoe from Naumkecke through the River thereof vp into the Land West fixty Miles, from which period to cross over Land to ye fixty Miles End, accompted from Pischataway, through Newgewanack River to the Land North West aforefd/ & alfoe all that the South halfe of the Yles of shoales/ all which Lands with the Confent of the Counsell shall from henceforth bee Called New Hamshyre/ And alsoe tenn Tousand Acers more of Land In New England aforesd, on the South East part of Sagadihoc, at the Mouth or entrance y' of, from henceforth to bee Called by the name of Massonia / togeather with all & singular Havens Harbors, Cricks, & Jylands Jnbayd, & all Jslands & Jsetts, lijng with in fiue leagues distance of the Mayne land opposite & abbutting vpon the Premises or any part thereof, Not formerly lawfully granted to any, by spetiall name, & all Mines, Mineralls, quaries soyles, & woods, Marshes waters Rivers lakes, fishing, hawkings hunting, & fowling,

&

& All other Royaltys, Jurisdictions previledges, Preheminences profitts, comoditys, & hæriditaments w'foever, with all & fingular theire & every of v' app'tenances & togeather alfoe with all rents referved. & the benefitt of all profitts due to the fd Counfell, & their fucceffors, with pouer of Judicature in all causes & matters w'soever, as Well Criminall Capitall & civill, ariseing or which may hereafter arise with in the Lymitts, bounds & prcincts aforfayd, to bee exercized, & executed according to the Laws of England, as neere as may bee, by the fd Cap' John Mason his heyres & assignes, or his or their Deputys Leeften Judges, Stewards or officers therevnto by him or them affignned, deputed or appoynted from tyme to tyme, with all other priviledges frantifes, Lybertys, Immunitys, Escheats, & causuallitys, there of ariseing or which shall or may hereafter arise with in the sd Lymitts & pcincts with all the Right title Clayme & demand w'foever, which the fd Counfell & their fuccessors now of right haue or ought to haue or Claime, or may haue or acquir hereafter in or to the fd portion of Lands, or Jslands, or any of the pmisses, and Jn as large free ample benefitiall a manner, to all Jntents Constructions & purposes w'soever, as the sd Counsell, by vertue of his Majestys sd letters Pattents may or Can grant the same saveing & always referving vnto y fd Counfell & their fuccessors pouer to receive heare & determine & fingular appeale & appeales of every pson & prions wifoeuer, dwelling or Jnhabiting with in the fd Teritorys & Yslands or any Prt thereof, foe granted as aforesd, of & from all Judgments & sentences w'foeuer given with in the fd Lands, & territorys aforefd, To haue & to hould all & fingular the Lands & pmisses aboue by these psents granted (except before excepted) with all & all manner of Profetts, commoditys & hæraditaments, whatfoeuer, with in the Lands & pcincts aforesd, to the sd Lands Yslands & pmisses, or any Part of them any wife belonging, or appertayning vnto the fd Capt John Mason his heyres & assignes, to the onely pper vss & behoose of him the sd Capt John Mason his heyres & assignes for ever, to bee houlden of the fd Counfell & their fucceffors p gladium Commitatis, that is to fay by finding foure able men conveniently armed & arayed for the warr to Attend

Attend vpon the Gouerii of New England, for the publick fervice of. within foureteen days after any warneing given/ Yejlding & paijng vnto the fd Counfell & y' fuccessors for ever one fift Part of all the oare of the Mines of gould & filver, which shall bee had possessed or obtayned, with in the Lymitts or pcincts aforefd, for all Rents fervices, dutys & demands w'soeuer, due vnto the fd Counsell & their fuccessors, from any plantation within the Precincts aforesd, the same to bee delivered vnto his Majestys Receiver his Deputy or Deputys affigned for the receipt there of to the vss of his Majesty his heyres & fuccessors from tyme to tyme with in the Lands pcincts & territorys of New England, aforefd; And lastly the sd Counsell haue deputed & authoriz'd & appoynted & In their place & stead have putt Henery Jocelyn Esq', & Ambrose Gibbines Gentle: or either of them to bee y' true & lawfull Atturney, & Atturneys for them & In y' name & stead to enter into the sd Lands & other the pmisses with their appurtenances or any Part thereof in the name of the whool. & to take quiett & peaceable possession & seazin thereof soe had & taken as aforesd/ then to deliver the same vnto the sd Capt John Mason his heyres or assigns, or to his or their Certen atturney or Atturnys to bee by him or y^m deputed on that behalfe, according to the purport trve Intent & meaning of these psents/ In witness w of they the fd Counsell haue here vnto afixed their coman seal/ Dated the Two & Twenteth day of Aprill, Jn the Eleaventh yeare of the Reigne of o' Soueraign Ld Charles by the grace of god King of England Scottland, ffrance & Ireland Defend of the faith Anno: Dom: 1635:

Sealed with the feal of the fd Counfell there to appended/ Vera Copia/

FRED: IXEM Notoio Publicus/

A true Coppy transcribed out of the original Coppy & there with Compared this 27: May: 1667:

p Edw: Rishworth ReCor:

Ιt

It will be noticed that the first deed on the York Registry of Deeds lacks some of the details which are found in the indentures of previous grants, and notably that no person is named in it as attorney to deliver possession to the grantee. Abner C. Goodell, Jr., A.M., the editor of the "Acts and Resolves of the Province of Massachusetts Bay," published by the State, has examined the two deeds, and has written for me his views upon the subject, as follows:—

The only plaufible explanation of this double conveyance that occurs to me is that one is a deed of *feofiment*, and the other an *indenture of bargain and fale*, given to re-enforce the former and "to make affurance doubly fure."

The reasons for this conjecture rest upon technicalities peculiar to the seudal tenures, which I will endeavor to explain as briefly and simply as possible.

The distinction between the above kinds of conveyance (now practically obsolete here by the operation of our statutes) was, at the date those deeds were executed, marked and important. Which of them was first executed I do not venture to decide. They bear the same date; and the order in which they appear of record in York County, thirty-two years later, would be insufficient to fix the priority of the execution of either.

A feofiment, or investiture of the seud or see of the land, was originally made by a delivery of the premises in fact (that is, between the parties, actually on the land, — usually by some symbolical delivery, as of a turf or twig, or by entry of the building, if any, and formally declaring the transfer of possession before witnesses; or by delivery in law; that is, by making a similar declaration within sight of the premises, and as near thereto as possible, — which, in some instances, was sufficient to ground an action upon.

In the course of time a written deed or charter of seossiment, under seal, accompanied and attested the transaction; but no record of this form of conveyance was necessary, as the transfer was open and notorious, and the continued occupancy of the seossies was as patent as any record.

It is obvious that this form of conveyance could not be used in transferring land out of the realm while either party remained in the realm, unless the act of delivery were made by one or more agents or attorneys appointed for that purpose. Hence, in the deed poll before us, which is in terms a feoffment, Jocelyn and Gibbens were appointed first to make actual entry upon the lands in the name of the company, and then to deliver the seisin to (in other words, to enseoff) Mason the feoffee.

Here, however, a contingency, the effect of which the "Councell learned in the Law" whom Mason employed for the "good and perfect investing, assuring," &c., of his grants, could not have sailed to foresee, threatened to frustrate the whole proceeding. The company were intending, forthwith, to surrender their charter. Indeed, only three days after the date of these deeds a "declaration" for resigning their charter was adopted at a legal meeting of the corporators, held "at the Earl of Carlisse's chambers at Whitehall," and the act of surrender was completed on the 7th of June following.

The refult of this furrender would be a diffolution of the corporation, which, like the death of a natural person, would, ipso facto, terminate the powers of all agents and attorneys appointed



appointed under the corporate seal; and therefore the intended seoffment would sail in the essential particular which characterized this form of conveyance, unless the time intervening between its execution in England and the livery of seisin in America were sufficient to make the act of investiture possible.

There was, however, another form of conveyance which did not require the actual delivery of possession. This was the bargain and sale above referred to.

By the ancient law of England, when one person bargained and sold land to another for a valuable consideration, the very contract made the bargainer a trustee, so to speak, of the bargainee, without any formal transfer of the land; and he was said to be seised to the use of the bargainee, and could be obliged in equity to give the latter further affurance of the title which he had agreed to convey to him. In the twenty-seventh year of King Henry VIII. an act of parliament known as the Statute of Uses was passed, abolishing this double relation to the land upon a bargain and sale, and absolutely vesting the land in the bargainee, without any other ceremony. By a later statute passed by the same parliament, this conveyance by bargain and sale was required to be made by written indentures under seal, if it was of an estate of freehold, and to be enrolled within six months either in one of the four courts of record at Westminster, or in the county where the land lay, before the custor rotulorum and others mentioned in the statute.

Now, the indenture recorded at York contains all the apt words of a bargain and sale, to which are superadded words of enseoffment, possibly for the purpose of making it stronger. No particular words were necessary to effect the intention of the bargainor, provided that intention were obvious from the general import of the deed. It was essential, however, that there should be, as I have said, a valuable consideration; and it will be noticed that in the indenture "a competent some of money" is stated as the consideration, which words do not appear in the deed of seoffment. Again, by deed of bargain and sale, only things actually in being at the time of executing the deed could pass. This was owing to the peculiar language of the Statute of Uses, from which this form of conveyance derived its validity. Hence, therefore, the right of government which had not been organized or established, but existed in posses only, was not a proper subject of conveyance by bargain and sale, though if it could be conveyed at all, it might be by the deed of feossement which contained the proper words of grant for transferring this "incorporeal hereditament."

I say, if the power of government could be conveyed at all by this corporation, because no such power of alienation is expressly given by the charter. Moreover, the right to transfer it was denied by Sir Richard Rainsford, Chief Justice of the King's Bench, and Sir Francis North (Lord Guilford), Chief Justice of the Common Pleas, upon a submission of this question to them by the Privy Council in 1677, and this opinion was concurred in by Mason's counsel at that time; still the attempt to transfer it to the seossee in this manner might be the soundation for a confirmation of the transfer by a subsequent act of the Crown; and it appears that the corporators and grantees were looking for such a confirmation of their grants.

If, therefore, this deed of bargain and fale were between proper contracting parties,—
that is, if the bargainee were capable of taking and the bargainor of conveying,—the only
thing necessary to perfect Mason's title under this indenture was that it should be properly

218 Charters of Captain John Mason.

and seasonably enrolled. It seems to me that although the company held its territory as of the manor of East Greenwich in Kent, that circumstance did not require that its deeds of bargain and sale of lands in America should be enrolled in that county, or indeed elsewhere in England; since those words were intended exclusively to define the nature of the tenure, which could only be made certain by this or a similar expression at that time, which was before all seudal tenures had been turned into estates of free and common socage under the enlightened policy of the Puritan Commonwealth. The proper place for the record or enrolment of such an instrument would be the shire town, or other established place within the granted territory, and the proper time would be such as should be determined by a standing law promulgated by the court or council having charge of the local government in the territory. This would be in accordance with the English rule that in matters relating to the conveyance of real estate, the local law (lex loci rei sita) must govern as far as possible.

But this conveyance was fatally defective in that, by the law of England, a corporation could not be seised to a use, and hence could not be party to a bargain and sale.

Such was the dilemma in which Mason was placed with regard to his claim of title under these instruments. He had, to be sure, the forlorn hope of securing a proper livery of seisin before the corporation ceased to exist; but if he sailed in that, he had only his previous grants to sall back upon, or to rely upon the timidity or ignorance of other claimants, unless, indeed, he could secure from the Crown a clear confirmation of his grant.

I have discussed these Mason deeds in the above order of precedence, because it seemed most likely that the plan of taking by feoffment was first suggested; but it may have been the reverse of this, and that the deed of feoffment was drawn to re-enforce or cure the desects of the indenture. However, it is certain that the instruments submitted in support of Mason's claim to the Attorney-General, Sir William Jones, in 1679, were declared by him invalid,—they being "unwitnessed, and without any entry or record of them anywhere, without seisin endorsed, and no possession having ever gone along with them."





LETTERS AND DOCUMENTS.

CAPTAIN JOHN MASON.



HE following collection contains all the letters that have come to the knowledge of the editor that were either written by Capt. John Mason or addressed to him by others. They will be useful as illustrating his life and character.

Interspersed with them are various other letters and documents relating to Mason or his Plantations.

I. MASON'S SURRENDER OF HIS SHIP.

August 23, 1615.

PRIVY COUNCIL:

Apud Edinburgh xxiij Augusti 1615.

Capt Maisson his surrender of his Ship.

THE quhilk day in presence of the Lordis of Secret Counsaill compearit personalie Johnne Maisson induellair in Kingis Linne within

within the realme of England awnair of the schip callit the Neptune of Kingis Linne and surrenderit renuncait and simpliciter ouergaif to Sir Gideone Murray of Elibank knight Deputis Thesaurair his schip foirsaid of the burdyne of sfourty tonnis or thairby Togidder with hir ankeris cabillis towis Munitionn and apparrelling pertaining thairunto with the haill goodis and geir whilkis wer within the said ship vpon the xv day of Junij or thairby last bipast / To the effect the said Deputye Thesaurair may sell vse and dispose vponn the said schip and goodis at his pleasour.

II. MASON TO SIR JOHN SCOTT.

August 31, 1617.

YET at length I am inforced to write being challenged to answere. I was purposed to have ben silent untill the opportunity of a better remembrance then a peece of paper had offered it selfe—albeit it is impossible so long as I know my selfe to forget my friends—but, as huswives have many letts to good house wifry, frontletts, braceletts, partletts &c.— so have inletts, outletts, bayes, coves, &c. through their discovery ben so many obstacles and hinderances to my duty, devourers of tyme, not affoording me leisure to thinck of writing, the which once effected I shall affoord you a mapp thereof with a particuler relacion of their seuerall parts, natures, and qualities. I am now a setting my foote into that path where I ended last to discover to the westward of this land, and for 2 months absence I have fitted myselse with a small new gally of 15 tonnes and to rowe with 14 oares (having lost our former) we shall visite the naturalls of the country with whom I purpose to trade, and thereafter shall give you

⁸¹⁸ The terms of this furrender are not specified. — Dr. DAVID LAING.

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a tast of the event, hoping that withall Terra Nova will produce dona nova to manifest our gratificacion—vntill which tyme I rest and shall remayne

Tuus dum suus

JHON MASON

Postscript -

Sir — I thank you for your paines and care about my patent of Rena and falters procuringe, the which as yet we are not resolved to imploy in regard we fetch it cheape out of Spayne and better for our turne. I pray you by the next advertize me of your estate and how the busines of the assise herryng goeth on, concernyng the which I have receaved a letter this sommer from M. John Browne the Dukes secretary, who hath promised me a remembrance thereof (my due as I take it) and that I may know to whome in London to direct lettres or ought els to be conveighed vnto you. I desire further to be excused to my Lord's Grace of S. Andrewes, Sir William Alexander, M. Archebald Acheson, and the rest of my wellwillers, to whome with my hartiest acknowledgment of chiefest duty I rest

My wife remembereth her felfe to you and yours.

Idem JHOANNES MASON

From the plantacion of Cuper's Cove in *Terra Nova* vlt. Augusti 1617.

[Address, &c. in dorso.]

To the Right Worshippfull M. Jhon Scott of Scottisterbatt in Scottland, Director to His Majesties Court of Chancery their, at his house on the Cawsy of Edenborough

deliver theis.

I defire Moyses Slaney to repaire downe to Whitehall with this letter and to inquire for Sir Willyam Alexander Master of the Requests for Scottland, and to procure of him conveiance for this letter accordingly.

- Ex epist. doct. vir. ad Jo. Scott - MS. Advocates' Library, Edinburgh, p. 221.

III. COMMISSION

III. COMMISSION TO MASON AND BUSHELL.

MAY 29, 1620.

GRANT of a Commission from George, Duke of Buckingham, Lord Admiral &c &c. to the Treasurer & Company of the Colony of Newfoundland, to take up & press such ships with mariners, Soldiers, gunners, munitions of war, stores &c as may be necessary for the purpole of suppressing pirates and Sea Rovers, who interfere with the sea traffic, & plunder &c the merchant ships. That the sea Treasurer & Company are to fet forth in a voyage to Newfoundland the good ship Peter & Andrew of London of 320 tons burthen, Capt. Iohn Mason, & W. Bushell, master, with men, ordnance &c. for the purpose of taking such pirates or Sea Rovers & their ships, & to bring fuch ships into any of our ports, Creeks &c. And all Vice Admirals, Justices of the peace, Mayors, Sheriffs, Constables & Gaolers are to aid & affift the fa Capt. John Mason, & Wm Bushell, & to carefully keep any pirates in prison as may be brought to them, until their trial to answer to Justice, & suffer the pains of the law for their piracies, or be acquitted thereof. And the faid Company is authorized to take possession of such ships as may be captured, a moiety of their proceeds to go to the Admiralty & the other moiety to the faid Company

Given in the High Court of Admiralty 29 May 17 K. James. A.D. 1620.

— Dom. Eliz. 1590.

Admiralty. Eliz. James I. & Charles I. Vol. 237. ff. 30-32.

IV. MASON

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IV. MASON TO NICHOLAS.

FEBRUARY 2, 1625-6.

Sir

It is now five weeks fince my Arivall here pfentlie whervppon I wrote vnto you concerninge a shipp of Salley called the Hart's defire or Good ffortune; of the burthen of 100 Tonns, nowe in St Yves in Cornwall which I tooke in Crookhaven in Ireland, and brought from there wth me, but by contrarye wyndes was put to leeward of the lands end. I have exspected order from my Lo: Admirall touchinge her disposall but as yett have received none, wherfore once more I fend inclosed The examinations of the Capt and master, also of an other of the companie relatinge the pcess of their voyadge, Requestinge yo' furtherance therin. That my Lords Grace would be pleased to give order for her appraisment And y' I might have hir in leiwe of my payes dewe to me for this voyadge, repayinge the furpluffage of monye that shall arise out of hir valuation. And this I requested for 3 causes. — The first as she is [illegible] to me then an other, by reason I tooke hir wth my shipp, no other man layinge clayme or title to hir, or makinge chalendge to hir. The second for that she was victualled & manned by me, and since her beinge at S! Yves fupplied a newe by my order, wherbye I am ingaged thorough a daylie chardge Runninge on; the fooner which is ended the The last for y' I shall ease the kinge of so much monye dew to me for my paye takinge hir as fatisfaction. what my Lords pleasure shall be herin I shall attend; Desiringe your favorable furtherance, wth a resolution by the first conveighmt And for yot Courtesie as it shall ingadge me in a strict obligation. So at my coinge vpp to London, which shall be shortlie vppon the end of this besides;

I shall not make a fruitless accompt; but such a one as shall manifest my selfe.

Yo' Trustie ffrend & servant

JHON MASON Comiffarie Generall for the victuallinge his matter ffleet and Armye.

DARTMOUTH this 2th of ffeb: 1625.

[Addressed] To the right woo'pffull Edward Nicholas, secretarie to the Duke of Buckingham his Grace.

[Endorsed] 2º ffebr. 1625.

Capt. Mason conching the ship called yo harts desire or Good fortune of Sally: wth yo exasacons wth proove her a piralt.

> — State Papers, in British Public Record Office. Domestic. Charles I. Vol. XX. Nº 21.

V. MASON TO NICHOLAS.

APRIL 10, 1626.

SR

I have fearched amongst my papers for the examinations y^t concerne the pyratt of Salley, and fynde that I sent them to yo' selfe from Plymouth inclosed in my letters; whearbye it appeares that they committed pyracye after their libertie purchased by the death of the Turcks, as in y' of Jhon sfransom delivered vppon oath before S' Jhon Elliot which you have; but y' poynt would not be too farr pressed least it question them vppon their lives. howsoever my Lo: Admiralls Clayme to hir is iust for that she hath beine Continuallie Imployed from Salley in pyracyes theis 3 or 4 yeares, And

theirfore

theirfore M' Wyen needs not make any scruple to proceed legallye to a condemnation. I am goinge this present daye into Hampshire wheare I shall remayne till ffrydaye next. in the Interim if anye business fall wherin I maye have place, I shall desire yo' favor so to be ranked and accommodated as I maye be enabled to doe his mate & my Lo: that service which best suit to their Honors & my desires, which shall never be wantinge theirto; which so yo' happines I rest

yo' lovinge ffrind to ferve you

JHON MASON

ffrom my lodginge in Westminster this 10th Aprill 1626.

[Addressed] To my much Honored ffrind
Mr Edward Nicholis Secretarye to my Lo: Duke of
Buckinghame his Grace
At the signe of the Gate neire

the newe Exchange.

- State Papers, Domestic. Charles I. Vol. XXIV. Nº 57.

VI. MASON TO NICHOLAS.

APRIL 25, 1626.

SR

The Kinge of Spaynes ould Confederates of Hamborough and fubiectes of fflanders standinge so necessarilie in relation to him (that as for the poynt of munition and victualls he cannot want them. So for monye and other Commoditie of necessarile Consequence of Trade they cannot be deprived of him) if by occasion of warrs (as at present betwixt vs and Spayne) they be debarred of their ordinarye course thorough the narrow seas. They seek as of ould in Queene Elizabeths

tyme a passadge towards Spayne, by the back partes of Scottland and Ireland in which Tract manye of them weare en snared, and became a praye to the Earle of Orknaye, whose Castells and munition houses weare well furnished out of their Ruines. As I found in the furrender of the fd Earles Castle of Kircowaye 15 yeares since beinge Imployed by the late Kinge of famous memorye for fervice on those coastes. May it please you theirfore to intimate to his Grace, That if 4 fayle of men of warr, we are appropried to wayte about the Ile of Sanda on the north part of the Orcades, and betwixt that & the back of the Hebrides, and 3 or 4 fayle more betwixt broad Haven and Cape Tellen on the Northwest of Ireland, and the like nomber about the Iles of Silley, To wayte vppon the outridds and Retournes of the Hamburgers and fflandrians on that fyde havinge industrious Capt's for Commanders and good pylottes. Their would be as good or better purchase acquired as by waye of the narrow seas; som proofe wherin you have in the late prize taken on the northeast coast of Scottland by the Hector & Alæthia. Herin I am Confident & shall by further demonstration out of my knowledge of all those partes fatisfye his Grace vppon warninge, whervnto I shall give attendance wth all diligence.

Yor assured ffrind to serve you

JHON MASON

APRILL 25th 1626.

[Addressed] To the Right worppfull Edward Nicholis Secretarie to the Duke of Buckingham his Grace.

[Endorsed] Aprill 25th 1626.

Information for M^r Ed: Nicholis, touchinge imployment for Shipps of warr about the Orcades, back of Ireland & Silley.

- State Papers, Domestic. Charles I. Vol. XXV. Nº 68.

VII. CERTIFICATE

VII. CERTIFICATE OF LORD WIMBLEDON.

MAY 25, 1626.

My noble Lo:

It pleased yo' grace for the better ordering and dispose of the victualles amongst his Ma'es fleete and Army in the late employment, to orderine by yo' expresse Comission Cape. Mason, Comissarie generall to manadge the affaires thereof, wherein I have found him by experience both in point of honestie, abilitie and well deserving, so well to quitt himselse; That I am induced to recomend him to yo' graces benigne favo', as a man well meriting the pay proper to his Office, and worthy of a better reward.

Your Graces most obliged

WIMBLEDON.

Wimbledon 25° Maij. 1626.

Lo: Generall.818

[Endorsed] The lo: of Wimbeldons certificate in behalfe of Capt. Mason.

- Domestic. Charles I. Vol. XXVII. Nº 63.

VIII. MASON TO NORTON.

MAY 27, 1626.

Mr Norton

You must repaire to S. Tho. Love for a certificate when your ould victualls exspired, which as he tould me was the 20th of Aprill, and then you shall obtayne an estimate for the newe; which my Lo: Admiralls pleasure is, should be prortioned for 4 months, I

818 The Duke of Buckingham.

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was

was now wth S. Allen Apsley and he tells me if you bringe that certificate M. Burrell will be at the Tower this forenoone, wth a Generall estimate for the ffleet wherin ours shall be included, I praye press it what you maye, for I have a letter from M. Tooke who I am assured went from Bristoll for Ireland wth all his companie on mondaye last.

Yor lo: ffriend

JHON MASON

MAIJ 27th 1626

[Not endorsed.]

- State Papers, Domestic. Charles I. Vol. XXVII. Nº 75.

IX. MASON TO NICHOLAS.

SEPTEMBER 15, 1626.

SR

By the Inclosed you shall perceive the estate of the Reformation and our proceedings in hir affayres, which I shall intreat you at your best leisure acquaynt my Lo: wth; and send it theirafter to Mr Secrettarve Coke and the Commissioners. I arived at Yoghall the 20th of the last month beinge Sondaye, and Journyed to Kinsale the daye following & forthwth fent awaye his Graces letter to Capt Harris to Corck which he received the 23th. We shall be reddye about the 22th of this instant to depart hence & well victualled till the 20th of November. Vppon our first arivall in the Narrow seas I shall advize you, and attend any further fervice y' his Grace shall require. We have no newes of anye Pyratts on this Coast; our last voyadges Dutch viceadmirall is heir to take in 140 Tonns of pepper left at Yoghall by a Danish East India shipp, to be transported to the Streights. I shall defyre your Remembrance of my respective dewtie & devoted service in the most submissive & humblest manner to his Grace, my heartie love & best wishes to yourselfe & Mr Robert Mason; And to be Ranked amongst the nomber of your true ffrinds vppon anye of whome whome their is not a greater Tye of service then my selfe, which I shall alwayes acknowledge and rest

Yor vnfayned lo: ffrind

To ferve you.

ffrom aboard his matter Shipp the Reformation in Kinsale this 15th September 1626. JHON MASON.

post scriptum

I cannot learne any thinge of Cap' ffoggs beinge on the Coast since his first departure from hence. Cap' Harris remaynes still at Corck. but is purposed to goe to Yoghall to take in the Ladye Villers and to transport hir for England.

[Addressed] To the Right worshippfull Edward
Nicholis, Esquier, Secretarie
to my Lord the Duke of
Buckingham his Grace.

- State Papers, Domestic. Charles I. Vol. XXXV. Nº 85.

X. MASON TO NICHOLAS.

JANUARY 19, 1626-7.

SR

The great quantities of Ice which hath lyen all this weeke both within the dock, and without, betwixt the shipps and the shoare, not permittinge a boat to pass to & fro; hath so hindred that we could not effect anye thinge, save onlye to make preparation against the breakinge vpp of the weather; which is now begun. god continew it; I synde all things so Ruined heir, done on purpose as I am informed for the perticular ends of som, who (as I am tould) would have well gratisted me to lett them so continew. That it will cost much labor to rectifie them for the present occasion, & much more heirafter, if his mate shall be pleased to continew the vse of this dock; which is

ſo

fo much recommended to the Lords Commissioners by the shipp-wrights, that I thinke their will be a necessitie in the preservinge theirof; And heir is no man to take care theirof, nor to husband the Kings busines belonginge theirto, wherfore if it shall please you move my Lord Duke that it maye be committed to my trust, onlye for such reward as the Lords commissioners shall thinke me worthye of, ether for repayringe the remaynes of the worck after this I have vndertaken to be done, or for the Clarcks office of keepinge the houses, yard, & dock; or for both coniuncelie; I shall rest thankful to you revera, and shall studie to merritt my Lords savor to the vttermost of my power; And if the woman, the wife of Capt Lidgier yt now lives in it have anye intrest, I will compound for it wth them; And thus wth the recommendation of my heartie love I rest

Yo' Lo: ffrind vnfayned

To ferve you.

JHON MASON.

Woollwich this 19th of Januarye 1626.

[Addressed] To the Right worppfull
Edward Nicholis Esquier
Secretarie to my Lord
the Duke of Buckingham
his Grace.

- State Papers, Domestic. Charles I. Vol. L. Nº 37.

XI. MASON TO BOSWELL.

MARCH 7, 1626-7.

 S^R

I am a futor to the Lords Commissioners of the Navie for a dispenfation concerninge the Journey Imposed vppon me to Bristoll; ffor nether will the souldiers heir attendinge for paye condiscend to quitt me, their payemaster; Neyther can I acquitt my selfe from my vndertakings takings to their vie; Especiallye their beinge a present assignment from his Grace of 1200¹¹ to be distributed by me amongst them; befydes 1000¹¹ more I have alreddye received for their dispatch to their quarters. This maye serve for an Apologie in excuse of my selfe And I knowe I shall doe his ma^{tic} as good service in Riddinge White Hall, of theis my associatts; as by a Journey to Bristoll for surveigh, for wich purpose their is many more able then my selfe, if they be rightlye culled

Yo' assured lo: ffrind to serve you:

JHON MASON.

London this 7th Martij 1626.

[Addressed] To my worthye ffrind

Mr Boswell **14* on of

the clarcks of his matter

most Honoble privite

Councell.

- State Papers, Domestic. Charles I. Vol. LVI. Nº 64.

XII. MASON TO NICHOLAS.

APRIL 24, 1627.

SR

Comparinge the great chardge of this Armye wth the fmale and flack supplies to mayntaine the same and they not obtayned wthout much solicitinge, and a troublesome passadge thorough the offices of the Excheq^r; besydes the paynes and hazard in conveighinge of monyes hither from London. we thought good to acquaynt you w a proposition made by some of the merchantes of this towne, which if my lord be pleased to imbrace, maye bringe vnto our Treisu[ry] a littell helpe; & ease vs of som part of our present care. And this

⁸¹⁴ William Bofwell, Clerk of the Privy Council.

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it

it is: Their are 10 or 12 ffrench barkes wth wynes at Portsmouth most of whose mariners are Runn awaye; And it will not onlye be a matter of difficultie to man them a new, to transport the wynes to London; but the chardge therof will be equal to the third part of the valew of the goods; befyeds the hazard by reison of Dunkerckers in the wave, and a daylie leackedge & decayinge which that commoditie is subject vnto; And heir are verye sufficient merchantes that will take 3 or 4 barkes ladinge at as highe or rather a higher rate confideringe the chardges thither then the wynes will yeeld at London, payinge reddye monye theirfore; and will fetch them from Portsmouth hither at their owne chard [ges] and will satisfye all other dewties to the Kinge. and the barke[s] beinge discharged maye be new Trymmed speedilie at this towne if my lord shall so please, to attend his matter fervice wth the ffleet, in which Imployment I thinke their maye be mad[e] good vse of fom of them. Maye you be pleafed theirfore S' to move his Grace heirin if you thinke it feazible, And that a warrant be fent hither for the valuation & fale of the wynes of those barks that laded in the River of Nantes or Conyack, which are wynes fittinge for this markett. And whearin I maye ferve his Grace or your felfe I shall be reddye, as your directions shall leade me; and the merchantes have defired me to ingadge for their partes to you for a thankfull Remembrance: And fo for present I take leave & rest

Yor assured lo: ffrind to serve you

JHON MASON

SOUTHAMPTON this 24th of Aprill 1627.

[Addreffed] To my worthy ffrind M^r
Edward Nicholis Esquier
Secretarye to the Duke
of Buckingham his
Grace, my
noble lord.

- State Papers, Domestic. Charles I. Vol. LXI. Nº 24.

XIII. MASON

XIII. MASON TO THE PRIVY COUNCIL.

MAY 1, 1627.

RIGHT HONORABLE

I have often defiered, and twice have propounded to ye Boarde, that all yo Accompts Concerning payments made either by Billet, or money, or Clothes, to any officers of the Armie from yo highest, to those of yo lowest degree vizt Corporals and Drumes; might be brought together; that so it might appeare what every one hath Received, and what his Matte is further indebted vnto them; And I am perfuaded when this is done it will be founde that a fmall fomme will put them all vpon one foote, And a farr less then is generally conceiued, will discharge the whole Arrere; wen were a good worke; for it would remoue the daylie Clamours of those that hang about yo Courte, and fill your Eares wth Supplicacions for moneys, vnder pretence of great debts resting due to ym from ye King; Also ye Kinges honnour wilbe thereby preserved from ye Censure of ye world wherein it suffers through ye evill Reportes of ye Malignant. And a great benifitt will redounde to me by avoiding ye Intricacie weh otherwise my Accompts wilbe fubiect vnto; besides ve Contentmt it will bring to all ve officers. To this end it were requisite that y' Accompts of M' Beare (now going to Denmarke) were seene, Also all yo Accomptes of Devonshier, and the five Counties, where they are now or latelye haue beene billited; whereof one viz' Dorsetshire (since my paym'es made to the 22 Capt' there of five Monthes pay,) haue fent me Notice of one thousand Markes disbursed to yo Capt' and their officers in money & Dyett: Also moneys were paid in Ireland by S' Thomas Loue and my selfe, and by ve late Lord President of Munster, after our comming from thence, And here at home 80 pounds to two that I knowe of; out of ye Exchequer, by way of Reward for their Journey hither; whereas I knowe, the fervice done, was more to themselues, then to the King. & Diverse others have had favours done to them whereby they have received benefittes equal to great payments: Againe fome that I haue 30

haue paid here in South Hampton and Portsmouth neglect to Discipline their companies, and runne to London, as I am informed, and trouble my Lo: Duke wth Petitions; as if they had not Received at all; My paynes I am willing to afforde herein, out of my desier to doe his Mate service; such fruite whereof I doubt not but will redounde to all parties interessed, as shall giue Content: and enable me to do the Duety which concernes my office with encouragem; as becometh

Yo' Honno" humble fervant

JHON MASON

Poftscripted

I befeech your honnours that y^e 2000. *li*. ordered on Sunday last for y^e Sussex Capt^s, And y^e 600 *li*. for y^e Dorset-Troopes; for hose, since the flows, and a weekes Conduct money: With y^e 3000 *li*. resting vpon y^e last Privie Seale, towards paying the growe-ing intertaynment for y^e Month to come (for all y^e Sommes I have lest Accquittances to y^e Exchequer,) may be speedily sent to me to Portsmouth; y^e a strong Guarde, and then I suppose I shall not trouble y^e Boarde with request for any more moneys till the Shiping of y^e men.

CHICHESTER Maye jo 1627.

[Addressed] To ye Right honnorable ye Lords of his Matter most honoble Privye Councell.

- State Papers, Domestic. Charles I. Vol. LXII. Nº 3.

XIV. MASON TO NICHOLAS.

MAY 1, 1627.

SR

The two greatest partes now to be acted vpon ye Stage of this Empire is expected from ye Nauye, and from ye Armye The performeance whereof rests much in that encouragem we must be given to either parte by a Due and orderly payment of ye Mariners and souldiers: The former haue beene reasonable well dealt with, so that

that they have no great cause to Complayne. The latter are now to receive fatisfaction: web being made, wee may justly proceed, to punish those offences and Neglects in them & their officers, we hitherto we have beene enforced to Conniue at by reason of their slowe & disordered paymt: went to reforme I have written this day a letter to ye Lords of ye Councell per inclosure to Mr Secretary Coke ye Coppy whereof (least my Lo: Duke should be absent from yo Boarde when it is presented) I send y" herew": 815 Desiering y" either to showe it wth these lynes to his Grace or to represent the substance thereof wth my humble Duty in yo best Manner you may, I shall not favle to fend to y" a Lyst of such as I have pd And desier y" to sende mee the Lift for ye Payes of ye Officers of ye Armye, lately subscribed by ve Lords: wth his Graces directions to that point; whether I shall proceed prefently or noe to pay according to ye fame: His Graces last Question to me, was what I had done for S' George Blundell my Answer was that I had payd him about 30 days since 260; forgetting to let his grace knowe that S' Thomas Loue had payd him aboue 200" more besides 112" now to be payed him and his sonne out of ye moneys appointed for ye Suffex Captaines for their parts as they have each of them a Company, beeing for five months pay; besides he Challengeth for the Lieutenantt Collonels paye due to him amongst the Arreres; at 10° a day from y° beginning of y° Voyage; These things you may be pleased to accquaint my Lord wth And fo I take my leaue and rest

Yor affured loving frend to ferue you

CHICHESTER this first of May 1627.

JHON MASON.

[Addressed] To ye right worp! Edward Nicholis Esquier Secretary to ye Duke of Buckingham his grace my Noble Lord.

- State Papers, Domestic. Charles I. Vol. LXII. Nº 9.

XV. MASON

s15 A copy of the preceding letter Council, May 1, 1627, is enclosed with of Capt. John Mason to the Privy this.

XV. MASON TO THE DUKE OF BUCKINGHAM.

MAY 3, 1627.

MAY IT PLEASE YOR GRACE

I have this day made payment of five Moneths Paye to all ye Suffex Capt', and their officers, as well those that stand, as the Reduced; And haue put ye Captaines for themselves and their Souldiers, ten daies aforehand, for their Paye; and haue fatisfied ye officers a weeks Arrere due from ye Countrye: And am going to Portsmouth and to Southampton to discharge ve Souldiers Billets, for wth I stand engaged in those partes, And to enable y^m, (as I haue done to these here) that they may be all alike for ye tyme to come, from weeke, to weeke. So that, if ye Arrers of ye officers for ye tyme past, were all ballanced, and put vpon one foot, either for ye whole, resting due to them, (we wilbe done with a far less Somme then is conceived in yo opinion of yo World) or but in parte, and so that they were all made equal with him that hath received ye greatest Somme; his Matte and your Grace, would finde much quietness, in being eased of ye dayly Clamo, of ye ruder forte of ym, and take a far greater pleasure, in the affayres of this Armye; which (as I haue made Computacion) will arise to ye Number of 4500 men of ye 50 Companies, at 90 to a Companye includeing y officers proper therevnto; besides the Coronels, & all y Officers of y feild; and officers of your Graces Trayne, and Trayne of Artillery; who are by your Artillery List 208 men; weh will growe to about 5000 men: My suite is, that your Grace would take into Confideracion, what moneys shalbe requifite for ye GRANDE STOCKE for ye Voyage; and to provide ye same in due tyme; The Medium of ye Paye for ye fouldier, drawne from ye whole Summe, ariseing from ye Number of 90 (includeing ye officers meanes) is 22. 10d a Month: per Man, one with another, makeing 5250

5250^{IL} befides y° Paye for y° Trayne of Artillery, y° Collonells & Officers of y° feild: So that I cannot guess y° Charge of y° Armye to be less then 6000^{IL} a Month, besides many Contingent Charges that I cannot now stand to bring to Accompt. I beseech your Grace to dispeede away those moneys, for w° I haue lest to y° Exchequer Accquitances, w° your Graces Secretary, Mason; with whom also I haue lest instructions to every point: That so I may be enabled to goe on w° this Taske begun, least otherwise, wee breake here for lack of Money, or Credit; w° out w° there is no life in these Actions: I shall labour to cherish them to my Power, according to y° trust committed to my Charge, refering my selfe in all points, to your Directions, and Commands, as one that thinketh himselfe to haue obtayned great favour by being reckoned in y° Catalogue of

Yo' Graces fervants

JHON MASON.

CHICHESTER Maye 3th 1627.

[Addressed] To his Excellency ye Duke of Buckingham his grace my Noble Lord.

- State Papers, Domestic. Charles I. Vol. LXII. Nº 27.

XVI. MASON TO NICHOLAS.

MAY 7, 1627.

SR

I suppose erre this that our 5600^h which I lest acquitances for, is vppon the way some miles one this side the Excheq, and therefore forbeare to trouble his Grace, or the Lo. Treasuror wh anie supplications thereabout; And yett our necessities are such by reason of the lowe ebb of our last monyes that the troopes lodged at Southampton and Winchester are ready to breake wh whom I am behinde but for

for one weeke and 3 or 4 dayes: fuch a nomber of needie Capt' wee haue that Cannot supplie their companies wth monies for 7 or 8 daies, w^{ch} in Case were full to the nomber of 90 men, officers and all: is paied wth 25th 8th and 10th when it is a Common thinge in the lowe Countries for a Capt to difburfe 200th or 300th yea oftentimes much more for the vse of his Companie till the States pay Comes in: I haue paied all the Suffex Capt' their 5 monthes pay as I wrote you formerlie and haue Cleared all their debtes for billet monies here and haue put Chichester, Hauant, Portesmouth, and Pharam aforehand till the 13th of this moneth, that so I might have libertie to go to Southampton and Winchester to satisfie them the arrere behinde. least they should rebell we' they are very apt to doe as you maye perceiue by the inclosed web came from them but this morninge; And now I have but 1001 left weh is not digitus ad folem in respect of the monies dewe to dischardge the debtes behinde, and daylie disbursm^{to} required for this Armie, weh wth the late newe pressed men sent in is about 4500 men; and here is not a pennie of the Loanes to be had, wherfore Good S' if the monie be not Come away hast it wh all speed to Southampton where I will attend it, wth fuch his Graces Commaunds and directions as shalbe imposed. I have paied ould Capt Hiegham 25! 4s for 6 monthes pay as he was quaterm to S' W St Legers Regim' for w^{ch} I want his Graces warrant that he must procure as also for such further somes as he shall have hereafter, your Lodginge is reddie at Cap' Towersonnes and another at the Queenes head for my Cozen Mason to whom I pray you Commend me and thus for present I take leave and rest

> Your very louing freind to ferue you

PORTSMOUTH this 7th of Maye 1627.

JHON MASON.

[Addressed] To the right Wor! Edward Nicolas Esquier.

- State Papers, Domestic. Charles I. Vol. LXII. Nº 70.

XVII. MASON



XVII. MASON TO THE DUKE OF BUCKINGHAM.

MAY 27, 1627.

Your Excellencie

May be pleafed to give leave to this Apologie as A defence for that which might be objected against my present suit for more money for the Armie; weh beinge increased by a new addition of 2000 ffoote and a troope of horse semblablic increases the Chardge; which with the former 50 Companies and their feverall officers and the principall officers of the feild and Regiments (who expect now hence forwardes a Conftant weekelie pay for attendance on their Chardge) will drawe vpp as neare as I Can guesse (not being Certaine of the rates for the horse nor their nomber) to the somme of Two thousand two hundred and fiftie poundes besides the Traine of Artillerie. And this paie must be whout faile, otherwise mutinie, and disbandinge will followe, w^{ch} was hardlie prevented in S^r John Burghs Regiment at Winchester by reason of Eight weekes areare to the pore billiters of that Towne cheiflie caused by the default of Barksheire Loanes not supplied; by this meanes their Accompts were become so intricate that it cost me 3 daies to Cleare them, which Cleared me of one thousand fower hundred poundes of the last monie I receaued, beinge so much weakened thereby as amountes to a weekes pay throughout the fiue Regiments: This whipp drives me to have recourse to Your Grace for a present supplie seeing my stock is exhausted, and my next pay day beginnes the fecond of June, the period of three weekes time paied out of the last monies. And as Concerninge the Areares of the officers of the Armie for which Ten thousand poundes is ordered I would wth your Graces likinge and his Matter approbation (vppon paiement of the same) propound to all the officers a Reasonable Composition

position for the remayner of the Kinges debt, in my owne name and as my owne vndertakinge, we will no waies ingadge the Kinges honor, and no doubt but they will accept thereof if there may be monie in hand to performe wth them: And this Accomplished such as are superfluous and vnworthie may be Cashered, and onlie the ablest and most necessarie kept in Imployment whereby the King will faue a great part of the Chardge his Matie is now at, and the Court (now peftered and your Graces eares daylie filled wth petitions) wilbe quieted: Yett againe I reiterate my humble fuite that your Grace would be pleased to settle vs a Constant pay for the Armie out of the Excheq or otherwise, and that we may have alwaies at least a monthes pay afore hand, that I may not be thus Continuallie troubled wth postinge vpp and downe weeklie to solicitt for monies; w^{ch} before they are obtained and can be transported to the seuerall Garrisons the time is spent for which they were oweinge, and the debt growne fo vrgent of fatisfaction that will admitt no dispute, but enforce a speedie Retourne to London to solicitt for more monie w^{ch} houlds me not onlie in a Continuall toylesome agitation of bodie causinge such expences therew as Consumes all my meanes but makes the world conceaue an euill opinion of his Maties vndertakinge; rayfinge scrupulous doubtes as if this Armie could not a month to an end subsist by reason of such poore supplies. I am ashamed thus to trouble your Grace and the Lords but necessitie exceedes both the boundes of law and modeftie and Conftraines me to make the endinge of one fuit the beginninge of another. And what monies from time to time shalbe by the Lordes to this end and purpose ordered may be chardged to a Privile Seale dormant in S' Robert Pyes office of ffebruary date 1625 Cariinge tearmes for sommes infinite. and the monies may be fent downe wth a guard by the handes of a Tellors Clarcke to whom I shall give acquittances authentick; for I may not be absent from hence in regard to the daylie disbursments to each Regiment once a weeke; besides many Contingent Chardges vnexpected which falls vppon me by accesse of new prest men. these thinges

thinges I fubmitt to your Graces grave Consideration, and providence, and shall euer Remaine

æ

Your Graces most humbly deuoted servant

JHON MASON.

PORTSMOUTH this 27th of Maye 1627.

[Addressed] To his Excellencie the Duke of Buckingham his Grace my noble Lord.

- State Papers, Domestic. Charles I. Vol. LXIV. Nº 75.

ELLZEY TO MASON. XVIII.

June 18, 1627.

SIR

Your letter dated this daye at Portsmouth, I receued this evening a bout flue of the Clock and prefently have informed my felfe what fhipps and barkes ar now whin this porte, (wth I find to bee) fiue french Barkes the biggest of them is a bout: 60: tonns the other fower from: 30: to: 40: tonns; 607 the other 4 3: west Cuntrye Barkes two of them patelye laden from 30 to 40. wth timber and hoopes of small burthen belonging to low and swanidg the other of salkomb a bout: 40: tonn all three Einglish bwylte and the last mentioned lyght, three shipps in his Mat: present service, seven small barkes of the Islands of Jarzye and Garnzye, fower of them hath his Graces discharg to repayre home, the other: 3: ar allfoe laden, a shipp Called the Plantation Gurnsay. about: 140: tonns latly Com from Virginea web hath tobacko vppon hir not yet discharged Einglishe bwilte 31 another

5 french Barkes ye biggest of 3 West Country Barks one of 40T light. 3 Ships in his Maties presente fervice. 7 fmall Barkes of Jersay and 1 Ship called ye Plantation I4OT

r English ship
another Einglish shipp of: 200: tonns Called the Plowgh
bound for Saynt Christophers wth is halfe laden and a
small Bark of: 40: tonns Caled the Christopher not sitt
called ye Christopher 40 Tunns
I purpose to bee there tomorrow to atend my Lord
Duks Grace when god willinge I will see yo and relate

more of this bwfines at large, fo I take my leaue Restinge:

Yon to bee Commanded

SOUTHAMPTON this 18th of June 1627.

JOHN ELLZEY

[Addressed] To the word Capt John
Mason Treasorer of
his Master Armye
giue these
in Portsmouth.

- State Papers, Domestic. Charles I. Vol. LXVII. Nº 56.

XIX. WATTS AND MASON TO GRAY.

October 11, 1627.

SR

Beinge appointed by the directions of the Lord Generall, to take an accompte of the Gunners remaynes of powder aboard such ships of the ffleete as are at present and to be contynued in the service, Wee havinge taken particular notice of the defects of theise ships herevnder written, Doe Certesse or oppynions concerninge the proportions w^{ch} wee hould sittinge to be deliuered them, as followeth:

To the Gunner of the Tryumphe	25 barrells	
The Nonefuch	20	
Sufan & Ellen	o6	
Sara bonadventure	о8	
Ann fpeedwell	04	
Jofias	03	
		Reporte

Reporte	04 bar	rells
Норе	04	
Elizabeth	06	
Redd Camell	04	
Sara of London	05	
Jewell & George	06	
Returne of Woodbridge	02	
Mary Magdalen	08	
Jone	04	
Mary & Jone	04	
Mary of Ipfw ^{ch}	05	
ffrancis	05	
Richard	10	
Recoverie	03	
Repulse	30	
John of Leeth	03	
Abraham	07	
Refolution	06	
Convert	07	
Victorie	32	
Confidence	o6	
27 shipps	227	Rest 462°

These are all the ships from wth as yett wee haue received an accompt of their remaynes, The rest as they are brought in, wee shall advise y^w of in the meane tyme y^w may be pleased to give warrant for the issuinge out of your store these particulers to the Gunners as they shall call for them So wee rest

Yo' lovinge ffrends

JHON WATTS
JHON MASON

ffrom aboard the Tryumphe the 11th of October 1627

To S^r Andrew Graye
Ma^r of the Ordinance.

j

- State Papers, Domestic. Charles I. Vol. LXXXI. Nº 16.

XX. NICHOLAS

^{\$16} This is added in another hand. — COPYIST.

XX. NICHOLAS TO MASON.

OCTOBER 18, 1627.

GOOD MR MASON

Your tre of the first of this moneth did much amaze me, his matte vnderstanding I rec. a tre sent for it, and was infinitly troubled to fee it and that from my lo: to my lo: of Holland, and none knew what to hope for, but that S' William Beecher was not arrived when you wrote, and that he came to you win 10: Dayes lymitted by my lo:; for neither of your tres come to me nor that from my lo: to the E. of Holland did mencione any thing at all whether S' William were arrived or noe. Your messengers sent hither have bene partly in fault that you have not more tymely rec, supplyes, for till M' Ashbi came none euer faid the army was in want of victualls but that you had good marketts and plenty both of men and money. And we suppose here the state of the ffleete and army for point of victualls to be: That both the fleete and Army had victualls compleate till the 20th of 8ber excepting only beere for the landmen, then the supplyes fent by Sr William Beecher, being victuall for 4500 Seamen for 2 monethes & halfe, will ferve for 9000 men for 5 weekes And if this be arrived then we hope you are not in that extremity to abandon the fiege, and thoughe my lo: hath written thus to my lo: of Holl:, wth I heare hath bene the cause he hath bene hastened away wth the vic! and to leave the foldiers behind him, yet fince my lo: hath not given to the King, anie accompt of the extremyty he is in, or of his reason of his resolution to abandon the siege, it is here hoped his grace hath written thus earnestly only to hasten away the supplyes expected win my lo: of Holl: whereof althoughe there hath not bene that timely care, dispatch & expedicion as hath bene requisite, yet for neere this moneth it hath bene only want of winde that hath hindered the

the arrivall of the supplyes now sent to you. I protest there was nothing that ever troubled me like to your tre and newes. And I beseech the lo: of Heaven to send this letter from $[fic]^{817}$ you. I shall languish till I heare from you, and do wish that if my lo: of Hoth doe sinde you at S' Martins that my lo: would come home shortly after it. I pray lett my [me] know how my lo: likes my bold writing in my hasty tres & see it burnt. I write hast doubting the messenger wilbe gone before this come to Plym:

18º 8bris 1627.

State Papers, Domestic. Charles I. Vol. CCXIX. p. 59.
 ("Nicholas's Letter Book," referred to at Vol. LXXXII.
 Nº 20.)

XXI. MASON TO BUCKINGHAM.

DECEMBER 2, 1627.

MAY IT PLEASE YOUR EXCELLENCY

Of y' Number and Estate of y' ffleete here, as also of y' landing and Billetting of y' Souldiers to y' Nomber of 1300 men; Intimacion hath beene made by S' John Watts, & S' W." Beecher.

It is my parte now, to accquaint your grace, how farr we have proceeded, in executing ye rest of your Directions lest wth vs.

And first, touching y° Search, and Collecting, of his Matter fcattered Armes, I have Rec. into my howse from these Shipps here, at y° Rates your Grace proposed, Musketts: Pikes, Swords, & Corsletts sufficient to arme 120 men; whereof divers are out of Repaire, & therefore most fitt to be sent to the Tower to be Exchanged for better.

I haue deliuered likewise to 324 Sick Mariners of y° ffleete Moneys, for ten daies fresh Victualls, at vjd a man; wch y° Deputye Victualler refuseing

²¹⁷ Quære, read "to." — COPYIST.

refuseing, was imposed vpon mee by my Lo: of Holland, whose Care for y° said sick Mariners I cannot sufficiently expresse: They are most of them Billetted on Shore, and it saues the Expence of so much Salte Victualls at y° Rate of 8d per diem y° Kings allowance for each man. The Shipps are safe albeit y° Storme did put some of y^m on shore vpon y° Oaze wherein y° Difference of y° Commodiousness of this Porte is easily discerned and approued before that of Plymmouth whose grounde is Rocks & dangerous for Shipps as now wee haue found in the late loss of those of our fleete.

ffurthermore I haue deliuered to ye 4 principall Chyrurgions fent by his Matter Directions from London Moneys for ye Charges of 120 Maymed and Sick Souldiers we they Collect from ye feuerall quarters to be carryed to St Thomas & St Bartholmews hospitalls in London, there to be kept till they be cured whout any further Charge to his Matter for all we matters as also for ye Conduct of ye Souldiers to their feuerall Quarters, wh fundrie other disbursmentes here, wee are behoulden to your Graces Remaynes of Moneys in my hands, we are so neere exhausted, that whout a Supply this next weeke we shall Breake.

It remaynes yet that vpon your Arrivall of our Plymmouth ffleete wth your Souldiers to come your Grace take these things to Confideracion.

That a generall Muster be made to examine the Strength of y^e Troopes w^{ch} were best to be reduced; and superfluous officers discharged.

That in y° Reducem^{tes} to be made it be considered of whether it be not fitt to discharge y° whole Trayne of Artillerye Provost Marshall generall and his men Chyrurgion generall and his servants; seing there are particular Provost Marshalls and Chyrurgions to each Regim! Also the ten Chapplaynes, wth one of y° Corporalls of y° feilde, and an Enginier or two of all wth wilbe litle or noe vse, and their separation no hinderance to y° Armye so long as it Continues in Garison. And now they Charge the King 150th per weeke. These things

things I offer to your Graces wisdome submitting my selse in all things to your Commands as becometh

Yor Excellencies most devoted fer[vant]

PORTSMOUTH
10ber 2d 1627.

JHON MASON.

[belleshb A]

[Addressed] ffor his Excellencie
ye Duke of Buckingham
his Grace my Noble
Lorde.

- State Papers, Domestic. Charles I. Vol. LXXXVI. Nº 5.

XXII. MASON TO BUCKINGHAM.

DECEMBER 13, 1627.

MAY IT PLEASE YOUR EXCELLENCY:

So foone as I Received your Commande to Journey to Plymmouth; I forthwib fett forwarde; & arrived there on Saturday last, findeing ye ffractions of ye divided Troopes, not wibout some distraction, by Reason of ye want of Commanders, and officers, to execute their dueties, required amongst discontented Souldiers, apte to Mutinye, wibout severe Gouernment. Of this Rancke, are a branch of ye Trayne of Artillery; and a remnant of ye Troope of Horse; to both will have given some money for their Charges, and dismissed them from hence, to goe to their severall homes. The Dutch Shipps also, we are here returned from Réz to ye number of Seaven; that brought some Salte, I would perswade Sr James Bagg, to discharge, and paye their fraight out of ye Sale of ye Salt, that so his Mate may be eased of a further growing vnnecessary Charge, and your Grace taken of from a Clamour, we otherwise, wilbe inevitable.

As touching y° Remoueing of y° Armye: The Commissioners have appointed a meeting, on Munday next, at Tauestock; to expedite that, And I am prepareing y° way, by makeing satisfaction to y° Countrie, for y° Souldiers Billetts, as also to y° Officers, by some Pay.

Pay, to enable them to Marche; but ye latter is not in fuch measure, as I intended: ffor, of ye 50001 Left in ye Charge of my lo: of Holland: As also of ye 4400h of your Graces moneys, in ye Custodie of Phineas Andrews; I have onely Received fower Thousand Two hundreth, Forty eight pounds sixteene shift six pence. The residue of ve Moneys being formerlie delivered by both ve Cashiers to Sr James Bagg, vpon some request by him made to them therefore; by reason whereof, I can neither give such satisfaccion to ye Officers here, as their Necessities requiered, and was but fitting, in Respect of ye Arrere due to ym from ye King; Nor answer ye expectation of those in Hampshier, who as yet have had nothing, and ought to be equallifed with these here, as your Grace hath directed mee; The Number of these here, will fall out to be aboue 4000 men But I shall fend your Grace an exact Liste of all presently after ye generall Muster w^{ch} shalbe made vpon y^e riseing of y^e Troopes: whose greatest defect confifts in ye want of Shirtes; Shoes; and stockings; But I hope we shall prevayle wth yo Countrie, to furnish ym in each seuerall Quarter, vpon an affureance of Satisfaction from Sr James Bagg therefore.

The Marlyna French Barque brought home from La Flotte by m' Crowe is ready to fet fayle, and y' Catharine (much out of repaire) shall follow, as soone as shee is sitted, to goe to Detforde, as your Grace directed; I beseech your Grace to be mindfull of procuring Moneys for y' Troopes; otherwise all will fall from Order; and my selfe must expect no better then a Purgatory; if not a hellish incessant Torment; I shall never sayle so long as I have subsistence and being to performe those dueties of faith and honesty as shall become

Yor Excellencies most humbly devoted servant

PLYMMOUTH this 13th of 10ber 1627.

JHON MASON.

[Addreffed] For his Excellency
yo Duke of Buckingham
his Grace
my Noble Lord.

- State Papers, Dómestic. Charles I. Vol. LXXXVI. Nº 70.

XXIII. MASON

XXIII. MASON TO NICHOLAS.

DECEMBER 13, 1627.

WORTHY SIR

M' Rolfe m' of the Marlin (a ffrench barke brought from the Ile of Rez by M' Crowe, which his Grace wrote for;) I have furnished wth victualls Roapes & some other necessaries for hir transportation to Dettford. The Katherin hir fellowe shall followe so soone as she can be fitted wth 2 anckers, cordage, and Trymminge which she wants. The great disaster amongst the ffleet heir hath so deiected the harts of men and hyndred the preparations of the present expedition wth Sr Hen: Marvin, that I feare it will not take effect, & befydes the want of victualls to enable them for any tyme, The mariners are readdy to mutinye for want of monyes. And yett I would have supposed that the late monyes delivered Sr James Bagg; viz 1500h by his Grace before his departure from hence of his owne cash, win 2000 of the monyes vnder my Lo: of Hollands chardge Also fince his Graces departure 1000h of the last mentioned monyes, wth 2000th more of his Graces monyes (both wthout order, and onlye obtayned by the perswasions of S' Ja: vsed to M' Sanderson the Earle of Hollands fervant & Phinees Andrews who had the keepinge of my lo: Dukes monyes both which weare as you knowe appoynted to me) should have beine sufficient to have stopped a great gapp in the present necessities of the Seamen, befydes all the falt heir aboard 9 Shipps Retourned from Rez worth 3000h at least that he hath taken into his possession. So that I am putt to the worst end of the Staff as you shall perceiv[e] by the letter I send heirw to his Grace; of whose folicitation and carefull indeavor for Raysinge of monyes to dischardge this chargeable incessant chardge had I not an assured confidence I would retire my selfe into Tessets barren desarts, rather then induce the inceffant clamors & mutinus behaviors of the diftreffed fouldiers whom nothinge will fatisfye but monye. I befeech 32 you

you Sir continew your mediation heirin for him who will not cease to be your ffavthfull fervant:

JHON MASON.

PLYMOUTH this 13th 10bf 1627.

[Addressed] To the Right worshippfull Edward Nicholis Esquire Secretarie to the duke of Buckingham his Grace.

- State Papers, Domestic. Charles I. Vol. LXXXVI. Nº 74

XXIV. MASON TO BUCKINGHAM.

December 20, 1627.

Your Excellency

By ye inclosed 818 will perceive ye tymes and Order of ye Ryseing and Marche of that parte of ye Armye here; weh I have drawne for ye better Methode into a Table, pointing out also the broken Numbers of ye Olde Troopes vnder ye feuerall Regimtes and how much they have beene encreased by ye Addition of the Resciruits, makeing in ye whole fower Thousand five hundreth 35 or thereabouts: But a more exact Liste of ye Marching men shalbe sent your grace vpon ye generall Musters to be made at their Riseing; we' ye Corporalls of ye feild are appointed to execute. I have fatisfyed the Country for yo Soldiers Billetts; from y' tyme of my coming hither vntill their Riseing and for fo much of yo tyme before as was vnfatisfyed by S. James Bagg, And

and Cornwall (Tavistock, December 18, is prescribed."

⁸¹⁸ An abstract of the enclosure is 1627). The strength of each regiment thus given in the Calendar of State is stated. That of Colonel Rich, whos-Papers, Domestic, 1627-1628, p. 474: officers were all, save one, cut off, is "Order of the Commissioners for the rif-ing and march of the troops in Devon of march to their several destinations

haue pd the Officers three Weekes paye aforehand to enable them in their Marche; besides almost as much of Arrere since their landing, by weh meanes the 4246 16 and vi I onely Received in parte of 9400li your grace assigned me of his Matter and your owne moneys is fo neare Exhausted that I shall not be able win ye Remaynder (being not aboue 500%) to give any fatisfaction to those in ye Isle of Wight and the other parts in Hamshier; who rest vpon my Ingagemt to y. Wherefore I befeech your grace to mediate wth his Matie for a good fomme of Moneys to be fent to Portsmouth as speedily as may be. That I may be enabled to paye ye Arrerages, due from ye tyme of y° payments made at Rez wth y° Debts to Hampshire, and to goe on wth an Orderly paym; It were too much boldness in mee, to tye or Lymitt your Grace to suche a somme as is not to be answered at present, by reason of his Matter Infinite occasions: But to give your Grace some litle Light to Interceade for our present necessities I suppose you Cannot descend Lower in your proposition then for Twelue Thousand pounds. I will wayte vpon your Grace so speedily as I may, in expectation of fome fruites hereof by your Gratious Mediation; we that it may have a prosperouse effect, and that happiness may attend Your Grace in all your actions I shall not cease to pray as becometh

Yor Excellencies most devoted fervant

JHON MASON.

TAUESTOCK Decemb: 20th 1627.

[Addressed] For his Excellency
The Duke of Buckingham
his Grace.
my verye good Lord.

- State Papers, Domestic. Charles I. Vol. LXXXVII. Nº 12.

XXV. MASON

XXV. MASON TO BUCKINGHAM.

JANUARY 3, 1627-8.

MAY IT PLEASE YOUR EXCELLENCY

Since my Returne out of Devonshier haueing beene somewhat ficklie and thereby disabled from so speedy a Journey to London to wayte on your Grace as I intended; yet that I might never pretermitt Tyme nor Occasion wherein I might doe service to his Mase I am endeavouring of my selfe to doe that in parte wth sundery tymes win these two yeares I have propounded to ye Commissioners of y Nauie, wh persuasions to be put in practise by them more fully; viz' The purchasing ye Earle of Southamptons woods for ye supply of Tymber and Planck, a thing of ye greatest difficultie amongst all ye stores proper to his Maties Navie. And ye rather those woods for that they lye so opportunely to furnish the Dock at Portsmouth, where as also at Plymouth there is great want of that Commodity. Besides ye generall Decay of Ship tymber throughout ye kingdome doth no less then invite a Provident Servant to prevent ye Inconvenience his Maister through ye want thereof may be subject vnto; Two thousand Trees of his Cheifest since our Journey into sfrance are fould for Barrell Boarde; the best of that we remaynes I would purchase and turne into Planke for Supply of Portsmouth Docke, to be afforded to his Matter workes at reasonable Rates. And likewise vndertake to builde some small Shipping vpon Reasonable Composition for his Matte after ye moulde of ye ffrench Pynnaces that your Grace tooke fuch liking of for their fingular Sayling. If your Grace approue of my Indeavours and Purpose herein; It shall encourage mee to that vndertakeing (albeit not whout ye Envye of some) which will facilitate Shipbuilding to his Matte wth Tryall of the different Mouldes more advantagious for Service by good Sayling then many formerlye built.

built. Thereby letting y° World knowe, that all Art of this kinde is not so locked vp in one Mans brest, as if it were to perish with him selfe, but that his Mate hath Choyse of Subjects to that Vse, and amongst y° rest, of a Servant of your owne, then whom, noe man is more bounde to advance y° Honour of Your Excellencye, as becometh

Your Graces ever bounden fervant

JHON MASON.

Portsmouth ye 3d of January 1627.

[No address.]

- State Papers, Domestic. Charles I. Vol. XC. Nº 13.

XXVI. MASON TO NICHOLAS.

JANUARY 3, 1627-8.

Noble & worthie ffrinde

The inclosed for his Grace I have left vnclosed for your selfe to pervse, and accordinge to your discretion to be delivered or not, I knowe your zeale to his matter service is such y' you will further any good designe y' maye tend simplie theirto, especiallie a thinge of that nature which maye advance the Navie & Admiraltie whearin a great part of my Lords Honour consists; I shall intreat as speedye an answer from you as maye be afforded, howe his Grace stands affected to my proposition; That I maye goe one or desist; M' Brewer this bearer craves your favor & helpe to recover his shipp of salt S' James Bagg hath made bould wh; I hope to be at London before the monye from the Citie be all disposed of, in the meane tyme M' Eyres will solicit for whom I am bound to give yowe infinite thanks, And will

will be reddye to deserve the continuance of your favor wth my continual indeavor

To doe you service

IHON MASON.

The Katherine ffrigott comes about to you, and out of a barren voyadge affords you onlie a hogshead of S' Martin; god send hir safe.

Portsmouth this 3d of Jan: 1627.

[Addreffed] To

To ye right worp! Edw:
Nicholis Esquier
Secretary to his
Excellency ye Duke
of Buckingham
his Grace.
London.

- State Papers, Domestic. Charles I. Vol. XCVI. Nº 14.

XXVII. MASON TO ROBERT MASON.

MARCH 20, 1627-8.

S×

I would intreat your favorable afistance to M^r George Mason of Aer in Scottland, whose request is to have a warrant for 8 peeces of ordnance of minion weight, and that his Shipp and Companie which hath served the Kinge theis five months maye be discharged whout anye further stopp or trouble. This I knowe falls whin the Compass of your fellow Nicholis his office, whom I praye you for your name sake & honestie of this bearer vse your powerfull mediation.

Your lo: Cozen to ferve you

[No addrefs.]

JHON MASON.

[Endorsed] 20° Martij, 1627.

Cap. Jo: Mason.

- State Papers, Domestic. Charles I. Vol. XCVI. Nº 62.

XXVIII. MASON

XXVIII. MASON TO BUCKINGHAM.

June 13, 1628.

MAY IT PLEASE YOUR EXCELLENCY

At the very instant that I receaved your letter this 12th of June, the Spye his Matter Pynnace arrived in this Harbour, having bin Eight Daies abroad at Sea over on the ffrench Coast about Sherbrooke, where on Munday the Nynth, they mett with Seaven Sayle of Dunkerkers, but fayled them out of fight in Three houres. And foe well her fayling is ymproued, with the cost I have bestowed on her, that she hath stolen the hartes of her Cap! & company, who preferr her before all others that ever they heard of, being an apt Spye aswell by Condicion as name. I shall observe your Graces order concerning the delivery of her over to the Earle of Denbeigh, vppon an houres warning, but in regard this ymployment is foe pleafing vnto her Company, it were best in my opinion, not to lett them knowe (till the ffleet be ready) they shalbe diverted, least it divert them from her, and consequently from the Kings service. Her Capt Thomas Adams a propper Seaman, I am a fuitor to your Grace for, that he may contynue his Command, seeing the Spye and himself suit soe well togeather. Your Graces lodging is prepared in my house here. 819 which

1628, the Duke of Buckingham, to whom this letter is addressed, was assissingly as a sill finated, in this house, by John Felton, a lieutenant in the army, who had been superfeded and deprived of his arrears of pay. In the Obituary of Richard Smyth, London, 1849, p. 1, under date of August 23, 1628, is this entry: "George, Duke of Buckingham, stabed to death at Portsmouth in Capt. Mason's house by one John Felton." In the Autobiography of Sir Simonds D'Ewes, London, 1845, Vol. I. p. 381, we find under 1628 this

account of the affaffination: "August the 23rd, being Saturday, the Duke having eaten his breakfast between eight and nine o'clock in the morning, in one Mr. Mason's house in Portsmouth, was then hasting away to the King who lay at Reswick [Southwick, according to Clarendon], some five miles distant to have some speedy conference with him. Being come to the further part of the entry leading out of the parlour into the hall of the house, he had then some conference with Sir Thomas Frier, Knt., a colonel, and stooping down in taking

which will not onely grace it & my felf, but shall binde mee perpetually to remaine

> Your Excellencies most humble devoted fervant

PORTSMOUTH June 13th

JHON MASON.

[Addressed] for his Excellency the Duke of Buckingham his Grace.

- State Papers, Domestic. Charles I. Vol. CVII. Nº 21.

MASON TO CONWAY. XXIX.

August 9, 1628.

MAY IT PLEASE YOUR HONOR

I have Received an Advertisment from Mr Secrettarye Coke by Intimation from your Lopp That it is his Graces pleasure the Troopes be putt in all readines possible for their Imbarkment; which is alreadye done one my part both for their conductinge from their fformer places of billett to their present quarters as neire the Rendevouz as may be convenientlie; as also for their cloaths which are all heir in Portsmouth to the nomber of flower Thowsand suites reddye to be distributed vppon their Imbarqueinge; So that if it weare to morrowe to be done (which I could wish) we are Reddye; but the principall verbe is wantinge viz. The Shipps which should Receive them that are to com from London, wth their Armes, and a great part of the victualls:

man, having watched his opportunity, thrust a long knife with a white hast he had secretly about him, with great strength and violence, into his breast, under his left pap, cutting the dia-phragm and lungs and piercing the very these."

his leave of him, John Felton, a gentle- heart itself. The Duke having received the stroke, instantly clapping his right hand on his fword-hilt, cried out, 'God's wounds! the villain hath killed me.' Some report his last words otherwife, little differing for fubstance from



victualls: But if your Lopp shall thinke good yt we putt som of theis neare about Portfmouth, Southampton & Chichester one Shippoard presentlye to make waye for the more Remote Regiments to com into their places neirer the water fyde, that so they maye be better prepared for their more speedye shippinge when the ffleet y' is to com from London shall arrive heir; I should thinke it a good service both for the ease of the Countrye, & the hastninge of the busines; And fuch of the Shipps heir as have their mariners payd, will be reddye to Receive them their nombers beinge alreaddye as I suppose proportioned by a lift for ech Shipp, accordinge to hir capacitie to receive. And their cloaths by the affiftance of the Sergeant Maior Generall maye be divided, & This is all I can thinke fittinge for the prefent to be done which I fubmitt to your Honors more folid iudgement, defiringe to be excused for not attendinge your Honor at present in regard of my continuall & incessant busines about payment of the billett monyes; I rest.

Your Honors most humblie devoted Servant

JHON MASON.

PORTSMOUTH 9th August 1628.

[Addressed] To the Right Honorable the Lord Viscount Conwaye. my verye good Lord.

- State Papers, Domestic. Charles I. Vol. CXII. Nº 59.

XXX. CONWAY TO MASON.

September 9, 1628.

S×

His Mate is carefull of having those soldiours that were left behinde the fleete for want of roome to receive them, disposed in some good and orderly course, that they may bee ready for another imployment, 33 And accordingly by his Matter commandem' I haue given order to the Deputie Lieutenants and Commissioners for billiting them in some convenient places, But because the Countrie is allready so much greeued with the late burthen of those great numbers that lay vpon them, and that the apprehension of a continual charge by these mens beeing continued with them, may cause disaffection and produce some disorders, if the billit monnie bee not duly payd for these men for the time they shall remaine here. His Matter hath recommended it seriously to My lord Treasurer to provide monnie for them, and hath commanded me to require you in his name that for the present you take some course to give them satisfaction either by monnie or credit vntill the order may come from My Lo: Treasurer which I will hasten with my best sollicitacion, and ever remaine to you

FARNHAM. Septemb! 9. 1628.

[Endorfed] Farnham. 9. Septemb! 1628.

L. Vice Count Conwæy to Capt?

Majon.

- State Papers, Domestic. Charles I. Vol. CXVI. Nº 90°

XXXI. MASON TO NICHOLAS.

MAY, 1629.

MR EDWARD NICHOLIS

S^R Theis are the particulars of the goods now in the Custodie of Jacob Jhonson which weare Recovered out of the sea nere the needles vppon the coast of the sle of Wight.

2360 peeces or Ryales of Eight Spanish monyes.

5 peeces of ordnance about 2600^{wt} a peice wherof M^r Newland hat[h] 3 peeces and 2 are at Portsmouth.

101 peeces



101 peeces of lead wherof M' Newland hath 39 peeces, and 32 of the f^d peeces are at Portsmouth and the rest are in Jacobs hoye.
9 anckers of an incertayne weight.

And this is all that Jacob doth acknowledge to have Recovered; he defires to have his part fett out of the whole; what is in Portfmouth is in my keepinge;

Yo' ffrind & fervant

JHON MASON.

[No address.]

[Endorsed] R: 4° Maij 1629.

Captaine Masons note concerning y° money taken vpp by Jacob the Diver.

- State Papers, Domestic. Charles I. Vol. CXLII. Nº 14.

XXXII. MASON TO NICHOLAS.

MAY 6, 1629.

WORTHYE SR

Jacob (our supposed lost Diver) is Retourned, and Cosseth to yowe wth Request That the monyes and other wrackt goods at Portsmouth maye be speedilie adjudged in the Admirall Court that so he maye have out his part which he seimeth to stand in need of; And for that he purposeth to goe on speedilye wth his designe for Recoveringe the Remaynder of the lost monyes And other things at the Wight, and from thence to proceed to the Lizart or Cape of Cornwall whear he hopeth to doe som good; his desire is that for strengtheninge him the better wth authoritie Requisite he maye have his Commission Renued, wth such Clawses & vppon such Conditions as maye be granted. I shall wayte vppon yowe on strydaye next to speake further

further concerninge theis matters; In the meane while I shall Rest now & alwayes

Yor most affectionate ffrind to serve yowe

IHON MASON.

THISLEWORTH this 6th of Maye 1629.

[Addressed] To my worthy ffrind
Edward Nicholis Esquier
Secrettarye to the Right
Honorable The Lordes
Commissioners for
the Admiraltie.

- State Papers, Domestic. Charles I. Vol. CXLII. Nº 26.

XXXIII. COUNCIL OF WAR TO MASON AND OTHERS.

June 25, 1629.

AFTER our very harty Commendacions. fforasmuch as there doth not appeare any establishement for the rates of Paye to the officers of the Armie in the Voyage to Cales, nor the tyme from whence that payem' to the Souldiers should commence. Wee haue therefore ordered that noe mann be accompted with but such as shall produce a Commission for his office, wherein the date of his entrance into Paye may be seene, or in Case his Commission be lost, that then he bring a sufficient testimony under the hand of his Colonell, & other superiour Officers of his Regiment to satisfie that poynt. And that the Paye to Quarter Masters, & Provost Marshalls in the Cales voyage be made according to such rates as were allowed by the Councell of Warr in the Petty Lists framed after the retourne of that Voyage, and for the residue of the Officers, that they be accompted with according to the rates of the Kings List for the Voyage to Reez, or Orders

Orders of the Board, or speciall Warrants of the Duke of Buckingham to that effect. And further that the monthes Paye intended as a gratuity in case any paye had been made only for Actuall Service, shall now goe vppon the Accompt of their Arriers betwixt the tyme of their first enterance into his Matter service. & the 13th of November 1628, the daye of the Armies discharge. And it is also orderd that the Auditor, or Surveighour or Clerke of the Office of the Ordnance deliver vnto [you] 820 the Auditors of the Imprests, or your Affistants or deputies seuerall Accompts of Charge for Armes imbeazeled, or Carelessly lost by any of the Captaynes or other Officers whom it may Concerne, that a deduccion may be made out of their Arriers for the same by the sayd Auditors. And allso that the Surveighor generall of the Victualls doe likewife deliuer vnto you the fayd Auditors, your Affistants or deputies, Accompts of all such Victualls, as he Cann iuftly Charge any of the fayd Officers wth during the fayd Voyages, that deduction may be made thereof; And for other matters that may Concerne the Accompts of the fayd Officers you are to regulate your Selues according to his Matter printed declaracion; And to vie as much speed as may be to give a dispatch therein for the better fatisfaccion of the fayd Officers according to his Mattes gracious intent. And fo wee bidd you very hartily farewell. Your very louing friends

[No fignatures.]

[Addressed] S. Richard Sutton, &) Knights, Auditors S! Ralph ffreeman \(\) of the Imprests. And their Deputies.

Capne Mason Trear of the Armie.

[Endorfed]

Order at Greenewich 25to Junij 1629 vnto the Auditors of the Imprest &c. per Conel of Warre. Copie heerof delivered to Mr Bingly.

- State Papers, Domestic, Charles I. Vol. CXLV. Nº 47.

XXXIV. MASON

⁸²⁰ This word was probably erroneously erased in this draught. — COPYIST.

XXXIV. MASON TO COKE.

1629.

Caff. Mason his Overture concerning the Island of the Lewes.

- 1. The Earle of Seaford his Patent to be cancelled, and the King & his Adventurers to purchase the Island. And the Hollanders to be discharged & sent away by the said Earle.
- 2. Intimation to be made to the Burrough Townes on the Sea Coasts that free lybertie shalbe graunted for them to shift as in former tymes about the Lewes, & to make vse of the Shoare for Packing & Pealing in convenient places to be appointed, paying ground lease. And that they give their consents that the King settle certeine stysheries for the vse of himself & Adventurers with him.
- 3. A Proposicion to be likewise made to the ffyshermen of the said Townes, that such as will become Tennants to Landes & live in the Lewes, shalbe admitted. And all their ffish shalbe taken off their hands dayly as they bring it from the Sea at resonable rates, and payment shalbe made therefore in money. And yf they want any commodity it shalbe furnished them out of the Magazins to be erected & at resonable rates.
- 4. That 12. Magazins and 12. Stages be built in the broad Lough and Lough Sternoway.
- 5. That Salt Caske and men to dresse & packe and peale ffyshe shalbe provided allso for composition by the Last of ffyshe.
- 6. That competent quantities being gotten togeather to make certeine Shipps ladings, Shipps shalbe freighted out of Scotland to transport the shiften, for soe much per Last to the Marketts.
- 7. That the Island being paid for, by the Company of Adventurers who ought to be Naturalized Scottishmen, the King is to graunt it them in ffee ffarme, paying the same duties that the Earle of Seasord paid to his Ma^{te}. And the Island may be divided into soe many lotts

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as there are cheif Adventurers. And every Lott to be created a Barony after the manner of Scotland. And amongst the whole nomber of Baronies, a free Burrough Towne to be erected, and seated vppon the Cheif sfyshing Harbour, having such priveledges as were graunted to the Hollanders, the particulers whereof will appeare in that Signature which is in the Custody of S. William Alexander.

- 8. It is thought very requifite, that the Earle of Seaford be kept in for an Adventurer with the rest proporcionally, for he may much accommodate the buisiness, and keepe the Islanders in Awe.
- 9. The Patent being cancelled, let Articles be drawen betwixt the King and the faid Earle conteyning the fubstance of the whole bargaine, wherein he is to deliver vpp aswell the ffyshing as Lands. And the Exemplificacion of the whole to be remitted into Scotland & persected there.
- 10. A Treasurer to be chosen, and a Stocke of money to be put into his handes for managing of the ffyshing, with Commission to him to proceed according to the directions of the Maior part of the Company.
- 11. In this Course 30. or 40^h may be gayned in the C^h for one ffyshing. And Three Retournes being made out of the Three ffyshings within the yeare, may drawe vpp Ninety in the C^h benefitt at the yeares end. And noe trouble nor charge, nor Adventure of Shipps extraordinary in the nature of Busses, nor ffishing Boates.
- 12. Besides this benefitt of Retourne by the ffyshings, the Island is to pay rent to the Purchasers, which in ffysteene yeares tyme will redeeme the purchase thereof.

Yo' Honors Humble Servant

JHON MASON.

[Endorfed] Capt Masons Opinion touchinge you fishinges of the Lewes.

- State Papers, Domestic. Charles I. Vol. CLII. Nº 66.

XXXV. MASON'S

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XXXV. MASON'S DECLARATION TO THE KING.

1629.

To the Kinges most excellent Matie

The humble declaracon of Cap: John Mason Three for your Maty Army concerning his service flowerteene Monethes in the Redshankes Ilandes.

Humbly sheweth That having in the yeares 1610, & 1611 bin ymployed by the especiall order of his late Matte yor ffather of famous memory, given at Thetford for furnishing & fetting forth of Two Shipps of Warr & Two pynnasses to attend his Mary service conjugntly with M' Andrew Knox then Bishopp of the Isles, for subduing of the then Rebellious Redshankes in the Hebrides Ilandes, & for settling Lawes of the Realme of Scotland there, wth accordingly tooke good effect. In wh ymployment the faid Capt John Mason was engaged personally w' his faid Two Shippes & Two pynnaces & flowescore Marriners besides certeine Gentlemen Volunteers in warlike manner furnished by the space of flowerteene monethes, uppon an Aggreem^t made by the Earle of Dunbarr then Lord Chancellor & Three of Scott in his Matte name, to pay the whole freight victualls, & wages, and other charges of the expedicon. But the faid Earle dying ere the voyage fynished & noe course by him taken for satisfacon, the said Capt. John Mason was enforced to discharge the whole debt, viz. Two Thousand Two hundred thirty & Eight Poundes. An Accompt whereof particulerly drawne vpp, he then offered to your May ffather with a certificate allfo vnder the handes of the Bishopp of the Isles & other Lords Temporall of his good fervices done, by many yet justifiable. Whereuppon was delivered vnto him, his Matts Lre to the Earle of Dumfermlin then the Lord Chancellor & to the Lordes of the Councell of Scott for passing of a grant of the Kings Assis Herring due from all the fishing Shipps & Boates on those coastes, to the faid Cap! John Mason, who forthwith recieved commission therefore

fore, & made collection of some part of the same in anno 1611. But vppon the marriage of the Queene of Bohemia the States Ambas-sador after Congratulacon of the said Marriage, & presents delivered, made suit to the King for a Remission of the Payments of the said Assise Herring due by their Nation, which was graunted to the disannulling of the said Cap' John Mason his whole interest therein who never since received one Penny towardes Recompence, saveing onely a Promise of certaine Landes in Ireland which tooke noe effect.

Your Matter Most humble & obedient servant JHON MASON.

An Acompt for the Interest of 2238th for 19 Yeares.

Vſe	Due in Anno 1610. f	2238. 00.	0
223. 16. O	Due for the vse hereof in Anno 1611. f		
246. 03. 0	More due for Vse in Anno 1612 f	246. 03.	
270. 15. 0	More due in Anno 1613 f	270. 15.	
297. 17. 0	In Anno 1614 f	297. 17.	
327. 13. 0	In Anno 1615 f	327. 13.	
360. o8. o	In Anno 1616 f	360. 8.	-
396. 09. 0	In Anno 1617 f	396. <i>9</i> .	0
436. 02. 0	In Anno 1618 f	436. 2.	
479. 14. 0	In Anno 1619 i ^r	479- 14-	_
527. 13. 0	In Anno 1620 f	527. 13.	_
580. 09. 0	In Anno 1621 f	580. 9.	
638. 09. 0	In Anno 1622 f	638. 9.	0
702. 06. 0	In Anno 1623 f	702. 6.	0
	All after 10 per Cent		
774. 11. 0	In Anno 1624 f	774. 11.	0
	After 8 per Cent.		
68o. o.o	In Anno 1625 f.	68o. o.	0
734. 8.0	In Anno 1626 f. at 8 per Cent	734. 8.	0
793. 2.0	In Anno 1627 (^r	793. 2.	0
856. 12. 0	In Anno 1628 f	856. 12.	0
925. 0.0	In Anno 1629 f	925. 0.	0
10251. 07. 0		12489. 07.	00
	34		Due

Due in all for Principall & Interest

Whereof Princepall Anno 1610 f. The vie for 19 Yeares, f.

2238. 00. 00 10251. 07. 00

1610:11.

12489. 07. 00

[Endorfed] A declaracon of Capt John Mason his Services in the Redshankes Ilandes.

- State Papers, Domestic. Charles I. Vol. CLIV. Nº 13.

XXXVI. DECLARATION OF MASON AND BRODLEY.

MAY 20, 1630.

THE 19th of May 1630 Capt. Mason (vpon warning given) attended the Lo: Viscount stalkland, and M. Secretary Cooke Referees from you King in a Controuersye betwixt S' W. Ewrin, kn., and the right hobe the Earle of Newporte; who meeting sayled and you sayd S' W. Ewrin in you presence Chamber at Whitehall, desired of Capt. Mason a Sight of you Kings Liste & of you Pay allowed in full to you Troope of Horse lately ymployed in you slide of Rez; & pervsing the sayd List, readd a Calculation of Pay for 161 Horses; for you halfe of who Number he demanded Allowance for his deceased Sonne in Law S' W. Cunynghan, kn', albeit you said S' W. had not, neither did in his life tyme demande for soe many.

Duering this Discourse, one John Griffith late a Trooper vnder S' W'' Cunynghan sayd to Capt. Mason that ye King did allowe for soe many, and that Capt: Mason had Received Money for ye Pay of soe many Horses as were mencioned in y said List. The sayd Capt. Mason answered: Noe; Neither did he demande Allowance of his Mase for more moneys payd ye Lo: Montjoy & S' W'' Cunynghan; then he Could shew their Receipts for: And if he should doe

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doe otherwise; he should Couzen the King: ye sayd Griffin replyed; Soe you doe Couzen him; Whoe maketh any question of it. Capt. Mason answered: You are a Knaue to say soe by mee: Griffin replyed: You are a Knaue; you have Couzened both vs, and yo King: wth other base words and provokeing speeches, intermixed wth diverse threates, as that if he had Capt. Mason in an other place he would make him acknowledg it: Capt: Mason then Called to his Clarke (who was there prefent) to beare witness: I, sayd Griffin; a Couple of Knaues together; Capt. Mason tould him he would make him knowen what he was; and w^{ch} of y^m was y^e honester man: Griffin answered, he had as good frends as Capt. Mason: & that he would fpend his blood before he would loofe his Money:

Thus much wee are ready to testify vpon Oath if it be requiered —

IHON MASON MATTHEW BRODLEY.

[Endorfed] Capt: Masons informacion touching I: Griffin a trooper, ye 20th of May 821 1630.

- State Papers, Domestic. Charles I. Vol. CLXVI. Nº 87.

XXXVII. LETTER OF MASON.

JULY 7, 1630.

 S^{R}

M' Secrettarye Coke calleth for the warrant that is to be figned for deliverye of the Pyde Cowe to me, and fayth their is no need of

and "20" written under it. — COPYIST. an account already rendered to the Ad-822 No. 89 in the same volume is a miralty. Vide Calendar. letter from John Griffith to Secretary

⁸²¹ The document has "19" erased, Nicholas, in which he sends a copy of

any Session of the Lords for that matter; but if yowe will offer it to morrowe they will signe one after another.

Yo' assured ffrind to serve yowe

JHON MASON.

[No address.]

[Endorsed] R. 7° Julij 1630.

Capt. concerninge the Py'd-Cowe pincke.

- State Papers, Domestic. Charles I. Vol. CLXX. Nº 39.

XXXVIII. MASON TO DORCHESTER.

July 9, 1630.

My Noble Lord

Hearing of your Lopps Displeasure conceived against mee for that younger Petitioned for by Leis: Carleton are not payd. I thought it my duetie to present both his Case and my owne to your honoble veiwe; that so both being waighed in your wisdome, it might moderate your anger, and transferr the faulte to its proper Center, where it ought to rest.

The Leif hath had his full Arrere payd vnto him for his whole tyme of fervice vntill ye Discharge of ye Army ye 13th of November 1628.

This Money now demanded is a Gratuity for the Tyme of his Imprisonm' in ffrance, after the Returne and discharge of the Armie in England, and is Rated at ye Somme of 59—14—0: Whereas diverse other Prisoners in ffrance at the same tyme are put by from all acknowledgm! of Pay for that Tyme.

The Lords Order made at y Discharge of y Armye, is that noe Officers, or Soldiers shall have any Pay for any tyme after the sayd Discharge: And the sayd 59½—14—0 Is neither established by Warr; from y Board as yet; Nor any moneys have beene Received since

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fince March last, either for this vse, or for y° Paym' of a List of 7800" appointed to haue beene pd to Officers at Midsomer last; Into wth Liste I haue entered y° Leist and Intend to pay him out of the first Moneys I can Receiue, (wth I hope wilbe wthin 5 or six dayes) albeit it be but 500th parcell of 2000th Ordered in parte of y° 7800th asorefayd. And when this is done I must be a Suitor to your Lost to assist mee in obtayning of a Warrant for to pay y° sayd 59th—14—0.

I shall Request that your hor would be pleased to pretermitt all Suggestions of Neglect of that Duety to you were Concernes your Servant so much Obliged to y'' as I am. And if I Could be M; of my owne Estate, (the greatest parte whereof now lyes in his Maties hands for 4000⁴ Suites of Clothes surnished to y'' Soldiers two yeares since, And other Moneys disburst for y'' Kings Accompts in so much that I am ashamed to Relate my wantes) noe man should be more forward to observe your Honours Service and Commands then

Your hon bounden fervant

IHON MASON.

JULY 9th 1630.

[Addressed] To ye Right hono the Lord Viscount Dorchester Principall Secretary to his Matte/ my Noble Lord.

- State Papers, Domestic. Charles I. Vol. CLXX. Nº 42.

XXXIX. WILLOUGHBY TO MASON.

July 29, 1630.

NOBLE SIR

I find more backwardnes then I thought I fhould have found, in proceeding the notes of fuch monnyes as have bin payd heare toe ye Officers, but I dought not of finding them ready at my retorne intoe

intoe Mvnster, at weh tyme I will send them away vnto youe; in the meane tyme youe may delay ye payment of fuch as youe prefume have receaved any thing heare. ye Irish Regiment heare is discharged w^{ch} I beleeve will make y^e wages fom thing vnfree for a while but ye Cuntries purses will find ease by it, and have a great deale of other Content. Sir, I pray, forget not my fute vnto youe for Cap' Lews Williams heare is a weoman y' is much engaged for hym, besides a greate deall of monny Advannst hym by my lord of Corkes means, ye partycvlars of wth I will fend youe over by ye other notes, my lord president relies much uppon youre Care for his monny of wth I have towld his lordship he neede not dowght, my lord of Valentia denves y' ever he receaved any vycont (fic),828 and haeth fignyfied it hier vnder his hand, and defires youe toe stand for his means and I dare warrant youe good respeckt from hym. soe Comending my best lowe toe youe and yours I take leave and rest

Yours toe ferve youe

FR. WILLOUGHBY.

my deare hart is browght toe bed of a yonge fone and are boath well I thank god, and where they are welcome.

from Dublin ye 29 of July 1630. The address is torn away except: -".....red freind

- State Papers, Domestic. Charles I. Vol. CLXXI. Nº 57.

XL. WILLOUGHBY

meant, perhaps, to read: "my lord Vycont of Valentia denyes yt ever he

*** This word comes just under "lord" receaved any | i.e. money], and haeth," (of Valentia) in the document, which is c. See Vol. CXLVIII. No 104, in the printed Calendar. - COPYIST.



XL. WILLOUGHBY TO MASON.

1630.

NOBLE SIR

My fone delivered me a paper, fent me by youre farvant bradley. and but y' I thought before this toe have Com intoe England my felfe I had Answered it. / and in regard I Can not as yet Come, and taking in toe my Confideration yt toe let it alone any longer vnanfwered, were but toe posses some of an Opinyon, y' I weare behind foe myche wth I Cowld wyshe I were (yf I had ye money) for my Conscience tells me I have desarved a better reward then any I have had/ but toe Answere youe direcktly toe ye paper sent withought a letter, tis true y' y' Coppie of y' account resting in my handes specifies as mych as ye other fent me. / being ye fome of 1191t-11s-0 weh I did receave as youe write. owt of youre handes and owt of ye Excheckker, but youe knowe that besides y' some, I had an Assignment. or bill of Exchaing[e] vppon barr of Dublin, by ye Right honorable yo Lord trefurars order, and y' for yo fome of 533t starling and od money, wherof I receaved of m' lake 2001 and was toe have 2001 mor, relinquissing ye rest, vntill by youre means, or motion, made vnto hym, he was Content yf I Cowld get my money, when ye rest were payd toe take les of me. / Vppon burlimachis promys toe pay Sir James Skot ye money within 20 dayes, which he promysed. faythfully toe doe, I relinquised ye rest all but 2601 weh I Assigned hym in lue of my dawghters portion, of weh he haeth as I vnderstand receaved but 195! w^{ch} is 5¹ les then m^r lakes bond fignyfies he was at y^e first toe pay me, w^{ch} bond rested in Sir William Slingsbies handes when I Came away/ this was none of ye monnyes. due vntoe me. vppon ye foote of youre account / but accrved. as followeth / his Maiesty at Winsor Cowrt vppon a petition Exhybyted toe his highnes by Sir James Skot and my felfe gave my lord trefurer and my lord of Dorchester order then toe fatisf. . . vs for owr farvice and imployment, wher**v**ppon

vppon my lord trefurer gave order toe my lord of Dorchester toe agree with me. whoe first Assured me of 40s per deyvm ye tyme of my tedious imployment with youe after yt resolution Chainged and 30' per devym was resolved, after y' my lord tresurer and my lord of Dorchester, being togither, in presence of mr Chanselor towld me yf I would be Content with 300t oute I showld presently be dispatcht. wherwith I was Satisfied. vppon Condition I myght have my Arrears of Count Mansfeld and my difburfed monny in Ireland web I made appeare at ve Counfell table toe be due vnto me vnder ve lord presidents hand and Sir richard Aldworths weh I have still ready toe be shewed. I was Comaunded toe make a lift of altogither and deliver it in toe my lord of Dorchester. which I did and after my lord trefurer and my lord of Dorchester Came togither at Hamton Cowrt and there refolved I showld have my money, weh after long Attendance not being able toe get it I intreated my lord toe let Callandrine give me a bill of Exchainge toe bor of Dublin for ye 5331 as I take it and od money, 300 of w^{ch} was Allowed me for my Charges in y^e Armyes buisnes 140t for my Arrears of Count mansfeld 35t disbursed heare in Ireland and 20t my lord Allowed me for my drums and farieants. toe Affift them. and this his honer agreed toe at So hamton, and then there was a remainder vppon ye foot of my Account y' rested in youre handes web made vp ye full some of 5331od mo[ney] of wt I have receaved but 200 and Sir James Skot 195 w^{ch} is les then my due, as by y^c account and y^c bill of Exchainge will Appeare just 1381 which monny I intend not toe loos, taking god toe my record y' y' getting of my owne monny, y' I foe dearly earnd with yo los of my blud my fones lyfe and my fortunes in yo loe cvntries Cost me above 300t foe as I may faefly sweare, and will receave y' facrament vppon it, y' al thinges reconed I had vppon y' matter no thing for all y paynes I tooke, and this I write is noe taell I tell for youe knowe it toe be true, when I was stayd last of all by my lord trefurars order after my wyfe was gon toe briftoe, she liing there at a greate Charge, myne being fom thing easiar, by ye favor I receavid in lying at youre howse, my lord did promys me for my stay 100, before

fore Sir nycholas fortescue, and y' y' King gave order for at my lord Conwayes motion, y' same Sir Thomas Morton had alsoe, and Sir Jams Skot./ Sir Thomas having had all y' whille a pention of a marke a day and I nothing but only on some as formerly related and yet it seemes this 100t is reconed to me againe. Sir toe Conclude I am soe far from Consessing a debt toe y' King (otherwise then my lyse w' is at his maiesties service) y' I hope, vppon my Coming over, toe recover y' rest due vntoe me.

Sir heare is an vnkell of Cap' Lews williams on y' I made youe acquainted with, y' had furnyshed hym in y' tyme of his wants in this kingdom, he haethe Admynystred for his kinsman and desires youre favor, and I doe y' lyke y' rather y' his account was Awdited and syned with y' rest, He wilbe Content with any resonable matter, and yf youe pleas toe stand his freind he shall send youe over his letter of Admynystration, and soe till I see youe my selfe, I and my wyse kindlye Comend vs toe youe and yours, resting

yours toe ferve youe

FR. WILLOUGHBY

yf youe have occation toe vse me in these partes youe shall find me not soe slack toe doe youe service as youe have bin toe Answer my many letters sent youe since my Coming over, we yf youe had pleased toe doe I showld have receaved youre lines thankfully but truly I find Sir Jams Skots words toe be true yt I was noe sooner gone but I was forgotten.

[Addressed] Toe his mych honerd freind Capt John mason, Esquire, at his howse in fanchurch Streete. These.

- State Papers, Domestic. Charles I. Vol. CLXXIX. Nº 21.

XLI. MASON

274 Captain John Mason.

XLI. MASON TO COKE.

August 4, 1630.

RIGHT HOBLE

On the 27th of July I delivered to S. William Alexander his Maties Packett concerning the ffishings, & the same Evening I sollicited the Lord Threr & Lord President for a speedy dispatch. On the 28th of July the Three Estates convened, And the question being putt whether to begin wth the greevances or Taxacion, It was refolved the Taxacion should have the first place. & soe before their rifing that Day was granted payable in flower yeares flower Hundred Thowfand Poundes Scottish money, weh makes Thirty Three Thowfand Three Hundred Thirty Three Poundes Six shillings Eight Pence English Covne. On the 30th in the forenoone into the Lord Chanceller his chamber, (his Lorpp lying ficke of the Gout in his bedd) were gathered togeather the Lords of the Privie Councell to heare the Kings Lettres & instruccions touching the ffyshings, wherevnto I was called. And after some little debate, the resolucion was that threy should be represented to the Three Estates in the Convencion, which was done the 30th in the afternoone. And yesterday being the Third of August after some debate a Committee was agree[d] vppon to be made of the Nobility, Clergy, Gentry, & Commissyoner[s] for the Burroughs, which within Two dayes should give a resolucion to the proposicions, but I am perswaded little can be done vntill they retourne home to their feverall Shires and Burroughs, & haue treated with their people feverally, And then Commissioners will be sent to London to give a resolucion to every point. It feemes to me they had rather doe all that is to be done, we'n I feare is aboue their abilities, then doe in part. M' John Hay theis Two last dayes hath not without some violence opposed & accused the Earle of Seafort for breache of the Lawes by bringing in of Hollanders. I will labour with the Lo: Chanceller that as little tyme be given them as may be, because the whole intended English preparacions

paracions attends their answer & resolucion what part of the Two Hundred sayle they will vndertake. The Lord Chanceller, Lord Three, Lord President, & S. William Alexander doe with great ferventnes endeavour to set forward the worke, & the most of the Lords haue a very good inclinacion to yo[u?]. I shall not sayle to send speedily to the Lewis according to your Honors direction. Now as touching our Woods I am every day confirmed in my opinion of the great benefitt that may accrew[e] to his Matter Navie, by reason of Masts & Ship Tymber that may be served from thence, A Sample whereof I hope betwixt this and November next to present to his Matter in London, yf I may not be disappointed of the St Anne, wherein your Honors savourable assistance is humbly ymplored by

Your Honors humble fervant

JHON MASON.

EDENBROUGH August the 4th 1630.

[Addressed] To the right Hole St. John Coke, knight, principall Secretary of State, & of his Matter most honorable privic Councell, at his house on Garlicke hill in London, theis dd 224

- State Papers, Domestic. Charles I. Vol. CLXXII. Nº 19.

**Most of the letters previous to this are sealed, in red wax, with a man standing, holding a scroll on which is the motto, "GLORIADEO," and round him the legend, "MELIORADEDITDEMPSITETREDIDITTER." A new seal is used on this letter, with the same in-

fcriptions; but the motto is on a shield, as in the margin, and the man rests on the shield. Very sew of the letters are in Capt. Mason's own hand throughout. Most of them are written by a clerk, and merely signed by Mason. — COPYIST.

XLII. INSTRUCTIONS

XLII. INSTRUCTIONS TO CAPTAIN MASON.

1630.

Instructions for Captain Fohn Mason imploied by his M²² to treat w² the Lords of the privile councel of Scotland about the erection of a general fishing.

FIRST you are to fignifie to their Lordships that his Mue our dread fouerain maturely confidering how great a bleffing God hath given to his kingdoms in the abundance of feafish uppon al his coasts & how the benefit therof is reaped only by strangers to the great disparagement & prejudice of his fubiects, hath now taken a royal and firme resolution, to set up a common fishing to bee a nurserie of seamen, & to increase the shipping & trade in al parts of his dominions. And their being common benefits to all his three kingdoms, so as they can deuidedly bee enjoyed by anie, His Mties royal & gratious pleasure is to haue it undertaken & ordered by common councel & indeuor. And to that end fendeth you to this meeting of the Lords of his Councel at Edenborough, ther to make this intimation: & to represent unto them the Propositions web haue been offred and approued of here as tending to the advancement of this great woorke, that they may bee taken ther into like ferious confideration, as wel to ratifie and confirme what they shal agree uppon, as to adulfe what other waies or meanes may conduce to the perfecting therof.

And becawse a great stock must bee raised by contributions of Aduenturers, who can not otherwise bee drawn into it, but by hope of great & present gaine: you are to shew to their Lordships the Estimate w^{ch} is made of the charge & prossit: that it may ther bee rectified, if anie thing bee mistaken, & made sit to bee published for an inducement to incourage men to ioyn in a woorke of so great hope.

Besides those fishing vessels were alreadie prepared and imploied uppon the seueral coasts of their kingdoms in the sishing seasons, it is thought thought fit for a confiderable beginning to make a new prouision of 200 vessels more betwixt 30 and 50 tonnes a peece: w^{ch} being rated by a medium of 40 tuns & at iij^h the tun wil cost for the huls only wth the ironwoorks 120^h euerie ship: and for the hundreth

	12,000000
For riging, fails, cables, anchors masts boats & other furniture at like rate	12,000000
Euerie vessel wil require 120 nets w ^{ch} w th head lines & corcks wil cost for euerie vessel 120 ^h & for 100 Euerie net wil require ten fathom of 3 or 4 inch warre	12,000000
rope w ^{ch} makes for euerie vessel 250 fathom estimated at 1000 waight w ^{ch} at 5 nobles per cent wil cost xvj ^{li} xiij ^s iiij ^d a vessel & for 100	01,666—13 — 4
Other necessaries at iiijh the vessel for a hundreth wil cost Theis 100 fishing vessels may make 3 returns euerie	00,400000
yeare the first wherof is for herings, & may catch a hundreth last a peece in al 10,000 last & so manie last the barils wil cost at xxs the last	10,000000
Theis $\frac{m}{10}$ last of herings wil require 3000 waigh of salt accompting 30 waigh for euerie hundreth last: w ^{ch} at iiijh the waigh wil cost	12,000000
Euerie fishing vessel of this burden must bee manned wth 16 men & boies, in al 1600 to bee victualed for 4 moneths from 1 June til 30 Sept wth at xiij iiij a man per mensem cummeth to	04,533—06—8
The wages of 16 men in euerie ship cummeth to kxiiiji for 4 moneths: & for 100 ships to	07,400—00—0
Total charge of 100 veffels	72,000000
The proffit to bee raifed of theis 100 vessels the first fishing — being 10,000 last of hering — if they shal bee fould at sea wil at xii the last cum to	100,000 ^{ti}
Out of w ^{ch} deducting 72,000 for the charge it cleareth the stock of the vessels w th their furniture & nets: & in monie	028,000000
	In

In the fecond fishing beginning I Octob. & ending 31 Januarie — in like maner for hering — theis 100 ves- fels may take 60 last a peece in al 6000 last w ^{ch} being winter herings wil bee worth at xij ^h the last	72,000—00—0
And deducting for charge of 6000 last of cask	
-6000h of 1800 waigh of falt 7200h of wages	46,867—00—0
7400li & of victuals — 4533—6—8. In al —	
25133h the cleare gain wil bee in monie	
The third fishing beginning in March & ending 31	
May for the taking of ling & cod in the loughes & uppon	-9
the Rona: accompting that euerie vessel may catch 6000 fish & 100 vessels 600,000 at xxx ^h the thowsand	18,000 00
wil yei[l]d	
Besides the fish of euerie vessel wil yeild 3 tuns of oyle	
	4 000 00
worth 13 ^h —6—8 ^d the tonne: w ^{ch} for the 100 veffels cummeth to	4,000— 0—0
Total proffit	22,000000
Out of w ^{ch} deducting for hooks lines leads is	22,000
for euerie ship — 14—10—0 w ^{ch} for 100 ships is	
— 1450 ^{li} & for falt ten waigh for euerie ship —	07,840-00-0
4000 ^{ti} for 3 moneths victuals — 3200 ^{ti} & for 3	
months wages 5510h In al — 14160h the cleare	
gain refteth	
And fo theis 3 fishings in one yeare wil repay al	
ring to died 3 immigs in one years will repay at 1	
disbursements: and yeild in cleare proffit al the ships &	82.707—00—0
	82,707—00—0

The other hundreth fishing vessels wil require the like charge and yeild no less proffit: wth added to the former sum produceth yearly—165,414¹¹—0—0.

This benefit wil bee much advanced if the fish bee caried to the markets wher it wil yeild aboue a third part more in prise: and no less by the returns to bee made in the commodities of those contries wher the fish shal bee sould.

When



When you have thus satisfied the Lords in the charge to bee required: & in the proffit w^{ch} may accrew: you are to understand from them what number of vessels may bee furnished in that kingdom & what proportion of monie may bee raised: & to that end you may move them to conferre wth the Nobilitie & gentrie & specially wth the Free borowghs that it may appeare what several vndertakings may bee procured amongst them: in like maner as wee purpose to doe here.

And becawfe it is not held fœfible or convenient to mesnage this common business by a common and ioinct stock but rather in several companies or members we notwinstanding may have relation to one bodie: you are to that end to move their Lordships to take the same course wee intend here: to choose in everie province such principal citties towns or Borrowgh[s] wher a companie may bee planted: & take order that al adventurers of that province may ioyne win that companie both in the charge & contribution for setting forth the ships, & in sharing the benefit we by the fishing shal accrew.

Yet confidering that the fishings fale not out in al places at al seafons, but that the general hering fishing beginneth about the Orchads in June, & thence proceedeth al the fumer along the coasts of Scotland & England til the midst of winter: & that al the yeare it continueth about the Hebrides & Irland & specially at the Lewes: that therfore the Aduenturers may fish freely in al places at al times: & yet so as the laws & freedoms of euerie kingdom may bee preserued (weh is his Mties most gratious resolution) Hee conceaueth it therfore necessarie (and accordingly you are to communicate it wth the Lords) that al the Aduenturers in this companie of the common fishing bee his own liege fubiects: & that no strangers of what nation soeuer bee admitted into it except the[y] transplant them selues into his dominions & ther bee indenifed & take the oth of his allegiance. And further that al his own fubiects of that companie bee indenised respectively in either kingdom: both to obey the laws and to enjoy the liberties accordingly.

And

And becawfe the Lewes is the most proper seate for a continual fishing along the western coasts you are to lett their Lordships know, that his M^{tie} is resoluted to take it into his hand as adherent to his crown, yet giving such satisfaction to the Erle of Seasort as shal bee honorable & iust: to wth end their Lordships are required to receave from the said Erle a true particular of the rents receaved by him ther: & to certifie his M^{tie} how they may bee mainteined & made good from time to time.

It is also his M^{tes} purpose (as you must acquaint the Lords) to erect in that Iland one or more free Borowghs in such places as shal bee sittest for the advanceing of the sishing: & for magasins and stages.

When you have thus aduised wth the Lords of the number of veffels, the incouraging of aduenturers to a proportion of the charge: the fetling of companies & the disposing of places, as punctually as you can, it remaineth that you propound unto them a forme of government, whout wch a business of this consequence can nether bee established nor continue. Ther bee late erected formes both in France Spaine & the Low contries we shew the necessitie of setling a Common Councel or Contractation Office to bee composed of fondrie chosen men of qualitie of ech nation, wth power given from his Mtie to make & executing fuch ordinances as in conformitie to the laws of ech kingdom shal bee found expedient, for the taking, ordering, and vending of the fish: & to heare & determin such questions & differences as shal happen about the same. Likewise in euerie prouince in that cittie or Borowgh wher a companie shal bee setled ther must bee a cort of Assistants to correspond with the Common councel: wth Commission in like maner to order the businesses of their own companie according to fuch ordinances as shal bee established by the forfaid common councel and to determin differences arifing amongst them selues about the affairs of them fishing: wth relation to the said common councel in cases of appeale.

Hauing treated wth the Lords about theis and al other particulars wth may occurre & shal bee found necessarie for the setling of this business;

business: if anie such difficultie arise as can not bee determined by your negotiation, you are to move their Lordships to nominate commissioners to treat further wth such as his Mtie shass appoint here: & by them to fend a perfect report of al poincts wherin they require fatisfaction.

During the time of your aboad in those parts you are to fend some hable & trustie person to vew the Lewes & the coasts adioyning: & to bring true information of the state therof: & particularly what ftrangers are planted in it & uppon what conditio[n], what fishing veffels are ther imployed: and what commoditie for packing peling & making falt: and generally what is fit to bee observed for the benefit of his Mtie & the advanceing of this woorke.

You are to observe their instructions for your direction in your proceedings: yet if anie thing may occurre wherby the seruice may bee furthered wth here is omitted, you are not herby restrained to use your best indevar therin as occasion shal serue.

And for your better inhabling you are to carie win you his Miles Commission vnder his sign manuel for your further authorisation & warrant.

[Endorfed]

1.

1630

Instructions for Capt. John Mason for the fishing business.825

- State Papers, Domestic. Charles I. Vol. CLXXX. Nº 102.

the volume of Calendar of State Papers, in which an abstract of this paper is erection of a general fishing." Vide given, thus describes it: "Secretary Calendar of State Papers, Domestic, Coke to Captain John Mason, employed 1629-1631, p. 450.

John Bruce, F. S. A., the editor of by his Majesty to treat with the Lords e volume of Calendar of State Papers, of the Council of Scotland about the

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XLIII. MASON TO NICHOLAS.

March 11, 1630-1.

SR

I am given to vnderstand y Mr Rookes hath no intention to Imploye his Matter prize Shipp the Esperance, which daylie chargeth the Kinge wth the wages of stive men belonging to hir, and goeth to decaye so that she is likelye to drawe a further chardge vppon the Kinge for Reparations if it be not tymelye prevented. Wherfore I shall desire yowe to move the Lords Commissioners for the Admirality that Mr Rookes maye be inioyned ether to take hir vppon the conditions agreed vppon betwixt their Loppe and him; or that I maye have hir for stetchinge of Masts for the Kings service, she beinge valewed at a Reasonable rate which I shall paye his Matte for hir.

Yo' very lovinge ffrind to ferve yowe

JHON MASON.

[Lo]ndon xith of March 1630.

[Addressed] To my worthy ffrind Edward Nicholis, Esquier, Secrettarye to the Lords Commissioners for the Admiraltie.

- State Papers, Domestic. Charles I. Vol. CLXXXVI. Nº 80.

XLIV. MASON TO NICHOLAS.

APRIL 20, 1631.

GOOD SR

I am fo Importuned by fom of the purviers of the London Merchant y' I cannot avoyde to write vnto yowe wth Request; That forasmuch as we have putt all our matters concerninge hir vppon a right

right foot for the Tyme past except 24—12—6 belonginge to your part for an Areare of the last and for settinge out this present voyadge, which we hope shall bringe in som profitt besydes ye Reimbursement of our charges; That theirsore yowe would take the payment of so much vppon yowe, to stop this Gapp wth and God blessinge hir safe at hir Retourne after 10 months for which she is taken certaine beginninge the first of this Aprill, their will be payable to yowe 50% And the shipp in better Reparation then she was at any tyme theis 7 yeires past. Sr I am

Yo' humble fervant

JHON MASON.

London Aprill 20th 1631.

[Addressed] To my Noble ffrind Edward Nicholis, Equier, Secrettarye to the Lo: Commissioners for the Admiraltie.

- State Papers, Domestic. Charles I. Vol. CLXXXVIII. Nº 99.

XLV. EYRE TO GIBBONS.

May 31, 1631.

LONDON, the last of May, 1631.

Mr. GIBBINS

Yours of the 8th of April, 1630, from Plimouth, I received, and thereby tooke notice of your intertaining Roger Knight, and here I present his wise 20s per quarter, at your desire, and 3l. per quarter to yours. I hope by this they are both with you, according to your desire. I wish all your wives with you, and that so many of you as desire wives, had such as they desire; for the adventurers desire not to be troubled with quarterly payments.

Your next to me is dated the 21st of July last, at Pascataquacke. I take notice of your complaints for want of trade goods, and so much

as lieth in me it shall be otherwise; especially if you send us returns, doubt not but that you shall be supplied, from time to time, unto your owne contents.

Your 3d lie to me is dated the 14th of August, by which I perceive divers of the commodities and provisions which you carried with you in the barke Warwicke were not to your liking, for which I am sorry. You know the trouble we had. I could not looke to Mr. Olden's and all besides. I hope by the Pide-Cowe you find it otherwise. I pray you write me how you like the hatchetts sent you by that ship, and how all goeth.

I like it well that your Governor will have a stock of bords at all times readie. I hope you will find something to relade both the Pide-Cowe and the Warwicke. I will now put on the sending of you the modell of a saw-mill, that you may have one going.

Your wife, Roger Knight's wife, and one wife more, we have already fent you, and more you shall have, as you write for them.

Another lre I have from you, of the 14th August, in which you write for another Mason. Wee have had enough to doe to goe so farre forwards as we have, as Capt. Keyes can tell you; yet now we begine to take hearte agayne, but the sight of returnes will be that which will indeede put life into us.

Among my New-England records, I find your lre unto Capt. Mason, of the 14th August last, wherein you give a good account of your time spent from the first of June untill then, as also of the manner of your trade, which was to Capt. Mason's liking. We hope you will find out some good mines, which will be welcome newes unto us.

By Mr. Glover we rec^d lies from Capt. Neale, written, as we think, about the end of March last. Write me, I pray, what winter you had, and how you had your healthes, and why Capt. Neale went not in Septem. last to discover the lakes, as he wrote he would, and why you did not write by that conveyance.

By the barke Warwicke we fend you a factor to take charge of the trade goods; also a soldier for discovrie, &c.

Thus

Thus I commend you and your wife, who, by this, I hope is with you, to the protection of the almightie.

Your loving friend,

THO. EYRE.

Kept until the 7th of June.

- New Hampshire Provincial Papers. Vol. I. pp. 61, 62.

XLVI. LORD TREASURER WESTON TO MASON.

June 6, 1631.

AFTER my hartie Commendacions. Whereas the Officers and Souldiers of his Matter fforte at Landgard Point in a Petition of late Exhibited vnto mee haue Complayned of the want of their Paye makeing Pretence that there are behinde great Sommes of Money not onely due to them but also to Certayne Creditours who have furnished them with Provisions of Victualls. These are therefore to will Requier and authorize you forthwth vpon fight hereof; either your selfe, or by your Deputy to take Journey to ye fayd fforte; And to examine ye Number of ye Officers and the Souldiers aswell Resident there at present by a Muster to be taken of them, as also that haue formerly made personall attendance vpon the place since the Establishment thereof. And to take an Accompt in particular of everie Souldiers Demandes; And According to ye Necessitie yu shall finde him in. that you Advance to him by way of Imprest out of the Moneys deliuered you a Competent Somme takeing a Receipt therefore; Of all which Payments you are to bring mee an Accompt. And when I shalbe fully enformed of the true Estate of ye Accompt of the Debts due vnto them. and their Creditors; Such further Order Order shalbe taken for their satisfaction as shalbe Requisite. And for your so doing this shalbe your sufficient Warrant IUNE your set it is a R. Weston.

[Addressed] To my verie loving freind Capt John Mason Esqr:
Threr and Paymaster of his Matter late Armie.

- State Papers, Domestic. Charles I. Vol. CXCIII. Nº 32.

XLVII. MASON TO DORCHESTER.

July 7, 1631.

My Noble Lord

I have Travelled both wth the Auditors of the Imprests and S' Rob: Pye to fatisfye your Lopp concerninge the Chardge of the Cales voyadge, but fynde Thole Accompts so confused and intermixt first wth the voyadge of the Earle of Lyndsey immediatly followinge (which cheifly was furnished out of the Remaynes of the Cales ffleet); Then wth the voyadge to Rez. And lastly wth that to Rochell; And the Kings Shipps in the na... Seas in the interim of all those voyadges furnished partly out of Retourned munition That whout great pa..... & fom Reasonable & other Stores. tyme to be allotted to the severall Clarks of Navie, victualler & ordnance offices, the Accompts for ech voyadge pers.... cannot be distinguished. So that I can only present to your L[opp] an estimate of the Chardge of the Army proper to my ow[ne] office, which before my Tyme falls out as intricate & con. . . . as any of the Rest, by Reason of multiplicities of payers.... and their Accompts involved on whin an other, The floot wherof is 249,970 i-17 -4d; 828 And so much I suppose it hath cost the King for

echarge of landmen employed in the home; total £249,970 17s. 4d. — Cal-Cadiz action for twenty-two months; endar of State Papers, Domestic, 1631-viz., five months before and in the action, 1633, p. 103.

for y° Cales voyadge altogether or will cost him when debts of billets to the Country, a[nd] Areres to livinge & dead officers are payd; & by my estimate th. Som is the moytie of the Kings chardge for that whole voya[dge] which if your Lopp please may be conceived to be stive hondr[ed] Thousand pounds. The truth wherof will appeare if the Kin[g] or the Lo: Trear shall be pleased to call for a strict Accomp[t] from the Auditors when the books of the severall Accomptants shall be Audited which worck is yett to be done. Thus cravinge pardon for my bouldnes; I kiss your Honors hands & Rest

Yo' Honors Humble fervant

JHON MASON.

DEPTFORD Julye 7th 1631.

[Addressed] ffor the Right Honorable
The lord Viscount Dorchester
my very good Lord.

- State Papers, Domestic. Charles I. Vol. CXCVI. Nº 32.

XLVIII. MASON TO NICHOLAS.

OCTOBER 10, 1631.

SR

I did expect accordinge to the Resolution of the Lordes Commissioners for the Admiraltie; Som order for Imbarkinge on board the Esperance certaine of his Ma^{tes} Ordnance at Portsmouth to be transported to London; And for that cause I have prepared the Shipp, and have furnished hir the better both wth able men and substantiall Rigginge; but I am informed by M^t sfoster That the Shipp y^t was appoynted for hir Convoy is gone to the Elbe and nether may attend that service till hir Retourne; which to wayte for will cause great loss of tyme and exspence of mony to me by victualls & wages daylie Comsuminge on board the Esperance. Now for that the Shipp is of

a Competent fforce, and the ordnance to be transported beinge about 90 peices of Iron ar not worth above 1500^{li} and those of brass ar but 8 peices and 4 port peeces which I suppose exceed not the valew of the other; yow may be pleased lett their Loppe knowe yt if this oportunitie be lost, it will be difficult herafter to fynde so easye a conveighance; your Answer heirvnto I shall desire before Thursday night next That I may give order accordingly to Mr Wolnor mr of the Esperance & for present take leave & Rest

Yo' very lo: ffrind to ferve yow

JHON MASON.

London this 10th of October, 1631.

[Addressed] To my worthy ffrend
Edward Nicholis Esquier
Secrettarye to the Lordes
Commissioners for the Admiraltie.

- State Papers, Domestic. Charles I. Vol. CCI. Nº 41.

XLIX. GOODS IN THE PIED COW.

November 17, 1631.

LONDON, the 17th of November, 1631.

Invoice of fundrie comodities shipped in good condition aboard the Pide-Cowe, Mr. William Stephenson, bound for the harbor of Pascattaway, in New-England, being for the accompt of the Right Hon'bl Mr. Ferdinando Gorges, Knight, Captain John Mason, Esquire, Mr. John Cotton, George Griffith, Henrie Gardner and Compa. Marchants, configned to John Raymond, purser of the said shippe, viz:

7 Hogsheads



Letters and Documents.	289			
7 Hogsheads of Beefe, weighing 31c 3q oolb, at 18s 6d per				
centumme,	29:07:00			
8 Ferkins of Butter, at 198 6d,	07:16:00			
5c 2qr 29lb of fuffs, cheese pac[ked] up in a chest, at 2½d per pound, is	06. 20. 06			
22 bushels 3 pecks of oatemeale at 4s 8d per bushell is,	06:12:06			
32 gallons and 3 quarters of fweet oyle at 4s o8d per gallon, is	05:06:02			
The Chirurgeons Bill is	07:12:10			
4 hogds of Meale — 4 quarters at 5s per bushell,	04:06:00			
2 douzen of howes at 2s ye pce,	02:08:00			
The Ironmongers Bill,				
4 Flock-Beads and bolfters at 18s,	04:10:00			
1 Rugge at	03:12:00			
3 Pigges of Leade and 56c of shott,				
4 quarters of Mault with the Caske,	02:07:10			
Lines for codde,	06:02:00			
Ffish hookes,	02:00:00			
ritti nookes,	02.00.00			
Summe,	96 : 15 : 04			
Transported to the next folio.				
P. 2. Sundrie commodities shipped in the Pide-Cowe, amount-				
ing unto, as in the last ffolio appeares,	096 : 15 : 04			
4 pieces of polaines ffor failes ffor shallops, at 25s per peice,	005:00:00			
1 quoile of cordage,	001:16:00			
2 Bendes of Lether,	001:16:00			
8 conias cost with there cubbes,	001:04:00			
Compasses,	000:18:00			
Georgius agricolæ,	000:12:00			
Spices and mustard feed,	000: 18: 03			
Summa is, as appeares,	109:00:01			
Charges here,	010:19:11			
More, 25l per centum for disbursing the monie and bearing the				
advent',	030:00:00			
Summe to ball. is	150:00:00			
37	Thefe			

These things you are to deliver to the Governour, Capt. Walter Neale, he giving you good beaver for them, at 6s per pound, if Capt. Neale needs them not, or cannot pay you for them, then you may dispose of them otherwise for Beaver as occasion offereth.

4 bar. oatmeale, con[taining] 22 bush. 3 pecks at—(rec. 3 bar.)

FFERD. GORGE,
JOHN MASON,
JOHN COTTON,
HENRY GARDNER,
EDWIN GUYE,
GEO. GRIFFITH,
THOS. WARNERTON,
THO. EYRE,
WILLIAM GYLES.

P. 3. More: There is in the ffatt where the kettles are, two rolles of Virginia tobacco, which I rate at 12d per pound. I pray put them off in the best manner you can, and put the returnes amounge the adventure.

Yours.

Tho. Eyre.

Carpenters tooles, clinch nayles, etc., for the Pinace we reckon not.

[Endorsed] Invoice of comodities 17 November, 1631, to Jn. Raiman, purser of the Pide-Cow, to sell for present paye. No. 9.

- New Hampshire Provincial Papers, Vol. I. pp. 63-65. From Province Records. Book I. p. 1.

L. SCOTTISH STATUTES RELATING TO FISHING, AND MASON'S OBSERVATIONS.

K. James 6: Par: 4th Chap: 60th

ITEM for as much as it is heavily complayed how that y whole flayers of all kinde of ffishes within this Realme, not regarding the Acts made by our Soveraigne Lords dearest predecessors of before,

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w^{ch} is, that when Herring and white fish is slaine, they ought to bring the same to y^c next adiacent Burrowghs & Townes wherein the perfons slayers thereof dwells; To the effect that our Soveraigne Lords Leiges may be first served, and if aboundance occurred, that they might be salted, & transported by free Burgesses. Through not doeing whereof our Soveraigne Lord is greatly defrauded of his Customes, & his highnes Leiges want the fruite of the Sea, appointed by God for their nourishment, & the Burgesses & free men of Burrowes disappointed of their trafficques & Comoditie.

Therfore our Soveraigne Lord, wth advice and Consent of his Regents Grace, the three Estates & whole body of this present Parliament, Ordaynes, that all manner of ffishers yt occupies the Sea, & other persons whatsoever, that happens to slay Herring, or white shift vpon yo Coast or wthin the Iles or wthout the same wthin the shift her, bring them to free Ports, therein to be sould Commonly to all our Soveraigne Lords Leiges, & the rest to stree men, whereby his Matter Customes bee not defrauded, & his Highnes Leiges not frustrate of the Commoditie appointed to them by God—vnder the paine of Consistation & losse of the Vessells of them that comes in the contrary hereof, and Escheating of all their mooueable goods to our Soveraigne Lot vse.

This Act is further confirmed in the fixt Parliament of K. Ja: 6: Chap: 86. & in the 8th Parliament of K. J. the 6' Chap: 141 forbidding all vnfree men to fell their fish to any strangers or to be transported by themselu[e]s vpon paine of Confiscation of all their mooueable goods.

K. James 4th Par. 1! Chap. 34.

ITEM It is Statuted and ordeyned that in time to come all manner of Shipps strangers & others come to the Kings free Burowghs, sych as Dunbarton, Irwin, Wigton, Kircowbright, Rensrew; & others free Burrowghs of the Realme, and therein make their Marchandize And that y faid strangers buy noe fish but salted & barrelled nor buy

buy noe other Merchandize but at free Burrowghs, & therein pay their Dutyes and Customes & take their Coquetts as effaires.

And that they make noe Merchandize at Lewes nor other places but at free Burrowghs as faid is. And that none of our Soveraigne Lords Leiges take Shipps to fraight vnder colour to defraud our Soveraigne nor his Leiges vnder the paine of losse of their liues & goods; And that noe strangers doe in the contrary vnder the paine of Confiscation of their Shipps & goods to our Soveraigne Lo. vse.827

Underwritten by Capt. Mason: -

Albeit theis acts of parliament are Strict against Strangers which English weare then houlden to be at the tyme of m[a]kinge the fd Acts; yett it is in the power of the K, to dispense [w]th theis acts vntill an other parliament when they may be alltlered and English excepted wth a proviso: And in the meane t[y]me his matte maye purchase the Iland of the Lewes, and proclayme free libertie of fishinge to all his subjects of Scottland as they have inioyed the same in former tymes, att Sea & on shoare to pack & peale payinge his matter for the Ground leave such dewties as is pd vsually to the Lord of the foyle in the like cases. And wth Consent of M' Ihon Have & the Commissioners for the Burrowgh Towns his matte wthout question maye erect a perticular ffisherie for his highnes vse and such as shall ioyne in adventure wth the Kinge & Imploye fuch Shipps & men as his matte shall please in the same; but Scottish ffishers will be found most apt for the service & best cheape to be hyred. yo' Honors humble fervant JHON MASON.

[No address or endorsement.]

- State Papers, Domestic. Charles I. Vol. CCVI. Nº 49.

LI. MASON

utes of Scotland. In the abstract of this paper in the Calendar of State Papers, Domestic, 1631-1633, pp. 237, 238, the editor, John Bruce, F.S.A., consid-

These extracts are from the Stat- ers Capt. Mason's Observations to be addressed to Secretary Coke. There is no date to the paper, but Mr. Bruce places it conjecturally under the year 1631.



LI. LAKE TO MASON.

FEBRUARY 18, 1631-2.

CAPTAINE MASON

My Lo: pleasure is that you should mooue the board for an order vpon the priuy seale dormant, to warrāt my Lo: for payeing of 279th or therabouts to S^t Edw: Horwood for his entertainment at Cales 228 voyage. So I rest

Yo' very Louing ffreind WIL LAKE.

WHITEHALL. Feb. 18. 1631.

[No address.]

[Endorsed] ffebruary 1631.

ffrom M. Lake touching Coll: Horwood.

- State Papers, Domestic. Charles I. Vol. CCXI. Nº 59.

LII. GORGES TO MASON.

MARCH 18, 1631-2.

SR

I perceaue by your lettre of the xiijth of this inftant ythere is ariued a Shipp att Plymouth lately come from the Dutch Plantacion in the partes of New England, and the course you have taken for the staye of her vntill the pleasure of the State bee surther knowne, wherein you have done exceeding well, as for the lestres you write vnto mee for, I have it not heere to send you, neither doe I thinke it of anie great moment if I had it, for the matter wee are to stand vpon is the Just tittle his May hath vnto those partes, both in respect of the first discovery thereof by subjectes of this Nation, the Primer set sure, and the actual possession thereof by vertue of the several Patents graunted from their Masses the Kinges our Soueraignes, we'm I assure my selfe they nor their Maisters will not goe about to annihillat, or make

Cales is another form of Cadis; and it is printed Cadis in the Calendar.

make void. Besides you may remember that it pleased his late Mate Kinge James of samous memory to give order to his Ambasatour wth the States of the vnited Provinces to question by what authority any of their subjectes tooke vpon them to have to doe in those limittes wthout his Lycence, To wth they aunswered that they knew of none of theirs that offended therein, but if there were any such, it was out of their private adventures, and not by any authority derived from them, neither had they anie purpose to instesse their proceedinges therein, as more at large it may appeare by the Ambassatours aunswere made from them in ythe behausse as is well knowne to my Lord of Arundell and divers others of the Lords.

ffor my owne part I am as fory as you are I cannot bee foe fuddenly att London as you defire I shold bee but imediatly after Easter God willing I will come vpp, onely to putt those businesses in the way it ought to bee in, both for the honor of his Mate and State, and the particular benefitt of our selves being soe farr ingaged therein as wee are.

As for the partie you write of that hath lived wth the Dutch foe longe time I wish you would not omitt to keepe him on reasonable condicions vntill my comeing vpp, in the meane while that you will informe your selfe of the strength they have where they live, how fortified, & provided for, how farr vpp into the Maine they bee, what other Commodity they finde besides their Trade of surrs, what Cattle, what Horses, and what carriages they make vse of wth what people th[ey] hold Coraspondancy wthall, and what Enemye[s] they have, and in what partes of the Country thei[r] Enemyes or freinds are,

That you vie your best meanes to prolonge the staye of the Shipp att Plymouth, till the Lords may bee thorowly satisfied from vs, of the Consequence of those businesses, and how sitt it wilbee they bee prohibited the Trade of those partes for many Reasons not sudenly vnderstood; besides the Dishonour offred his Mate to Trench on his Mate. Terretoryes whout leave, as in case of that nature ought to bee sought for, his Mate haveing prohibited his owne subjectes, not free

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of those Terretoryes, from presuming to frequent those partes wthout Lycence first had from the Councell for those Affaires.

What is more to bee done for the present I must leave to your owne Judgem' that knowes aswell as my selfe what course to take therein, assuring you there shall bee nothing wantinge in my powre for the makeing good of our Vndertakings; for the fending, or bringin[g] of the Horses promised by my Lord Gorges, and my felfe when you finde the time fitt for it, lett me knowe as much, and I will not prolonge the dispatch of them from theife parts, I lately write to Mr Eyre my owne Resolucion weh I will make good, lett others doe as they will, and I hope you will not dispaire allthoughe you finde a Couldnes in fuch as yett vnderstands not the busines aright, I rec a lettre from M' Eyre, and by it I vnderstood, how my Lord of Warwick had Nobly promifed to doe for the furtherance of our purpose, to whome I hope you will apply your selfe att this present for to fecond the following of the Lords as cause shall require, att my owne Cominge vpp you shall see I will putt more life to itt, then heertofore I feemed to doe, as haueing euery day more and more reason soe to doe; lett this longe lettre to you excuse my not writing to M' Eyre att this time, (for it is now late, and my wife not very well), to whome I defire to bee remembred, and foe to you and to your bedfellow affureing you of mee as of

Your true freind to b[ee] Commaunded Ferde Gorg[es].
Bristoll the 18th
of March 1631.

[Addressed] To his very loveing freind Captaine
John Mason att his house att
Debtsford theis

Leaue this lettre att Mr Thomas Eyres his house in ffanchurch street in an alley entring in at the signe of the Tallowchandler to bee dd as abouesaid.

- State Papers, Colonial. Charles I. Vol. VI. Nº 44.829

LIII. MASON

829 No. 64 in the same volume is a Mr. Sainsbury gives this abstract: document dated June, 1632, of which "Warrant to Sir James Bagg for re-

LIII. MASON TO COKE.

APRIL 2, 1632.

RIGHT HONORABLE

In v° yeare of o' Lord God 1621, or thereabouts certaine Hollanders were upon the coast of New England trading wth ye Indians betwixt Cape Codd and Bay de la Warre in 40 degrees of Northerly latitude, being a parte of that country which was granted to Sir Walter Rawleigh by Queene Elizabeth in Anno 1584, and afterwards to diverse of her subjects under yo title of Virginia; which countrey was divided by agreement of ye Virginia Company, and the North East parte thereof confirmed afterward by King James in Anno 1606 to yo President and Counsell for yo Plantations there, which have beene fettled in Virginia on young one hand to the Westwards, now about fortie yeares; and in New England on the other hand to yo Eastward above 25 yeares fince. The fayd Hollanders as Interlopers fell into yo middle betwixt the fayd plantacons, and at their returne of their voyage, aforefayd, published a Mapp in yo Low Countries of yº fayd fea coaste comphended betwixt Virginia and Cape Codd, und yº tytle of New Netherlands, giving yo name of yo Prince of Aurange to ye countrie and river of Manahata, where ye Dutch are now planted, (w^{ch} fayd countrey was many yeares before discovered by the English-

leafe of a Dutch ship the Endraught of goods and merchandise of the ship, not-Amsterdam, belonging to the West India Company of Holland, which coming from the river Manhattan in New England was stayed at Plymouth in February last. The King at the earnest request of the Ambassador from the United Calendar of State Papers, Colonial, Provinces is pleased to release all the Vol. I. p. 154.

withstanding His Majesty's right to the territories whence they came; but declares if the Dutch remain there without his licence, they shall impute it to men in their voyages to Virginia) and giveing other Dutch Names to other places to yo Eastward of yo fayd Manahata river as farr as Cape Codd; all wth had beene formerly discovered and traded unto diverse tymes by fev'all Englishmen, as may be proved. And Sr Samuell Argall Knt wth many English planters were ppareing to goe and sitt downe in his lott of land upon ye fayd Manahata river at the same tyme when the Dutch intruded, we caused a Demurre in their pceding untill King James, upon complaint of my Lord of Arundell wth Sr Ferdinando Gorges Knt and the faid Sr Samuell Argall (form'ly Gov' of Virginia) and Capt John Mason, of ye sayd Dutch Those lies of ye Intruders in An° 1621 had by his Matter order a life to Lords do beare ye Lord of Dorchester their Ambassador at ye Hague, date the 15 of December 1621 questioned the States of yo Low Countries for that matter. Which ye Lords ye States by answer (as I take it) of their ambassado' Sir Nowell Carronne did disclayme, disavowing any such act that was done by their people wth their authority: wth my Lord of Arundell and I thinke ye Lord Baltimore (then Secretary of State) doe remember, and Sr Ferdinando Gorges and Captaine Mason can witnesse ye same Neverthelesse ye yeare following, we (as I take it) was 1622, the fayd Dutch under a pretended authority from ye West India Company of Holland, maintayned as they fayd by commission from ye faid Prince of Aurange did returne to ye forefayd river of Manahata and made plantation there, fortifying themselves there in two feverall places, and have built shipps there, whereof one was sent into Holland of 600 tunnes or thereabouts. And albeit they were warned by ye English plantation at New Plymmouth to forbeare trade and not to make any fettlement in those partes, letting them know that they were the territories of ye King of England, yett nevertheless with proude and contumacious answers (saying they had commission to fight against such as should disturbe their settlement) they did persist to plant and trade, vilefying or Nation to the Indians and extolling their owne people and countrye of Holland, and have made fundry good returnes of commodities from thence into Holland:

38

especially

especially this yeare they have returned (as it is reported) 15000 Beaver Skynnes, besides other commodities.

Yo' Ho' humble Servant

JHON MASON.

APRIL 2 1632

[Endorfed by Sir John Coke, Secretary of State]

Cap: Mason Concerning the Hollanders in Virginia.

— New York Colonial Documents. Vol. III. pp. 16, 17. From British State Papers. Trade Papers X.

LIV. GORGES TO MASON.

APRIL 6, 1632.

Sir

On Thursday night I receaved yours of the 30th of March, by w^{ch} I understand howe you have peeded against those of the Dutch plantacon. I am glade the business is before the Lords. I hope they will not bee over hafty in concluding a businees of that nature, confidering howe much it concernes both the honor of the Kinge and State to make good the interest they have therein. You shalbee asfured I will not ptract any time of my coming upp, butt I must acquaint you with an unhappy accident that befell mee the same day I receaved yours. For haveing bene wth my Lord Pawlett and divers others of my private friends att a horse race, I tooke a fall from my horse, and am now in soe much extremetie of paine, as I am not able to move or ftirr, but as I am helped by maine strength of my f'vauntes; notw'hstanding, by Gods favor I hope to bee wth you in very shorte time, what shifte soever I make to travell. I am sory to heere you are so poorely seconded in a matter soe just and honble. I conceive you may have from M' Shirly a coppy of that w^{ch} came to

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my

my hands from those of New Plymouth, wth more pticulers than came to mee. Itt may please you that hee may bee spoken win about it. I doubt not but att my cominge, I shallbee able to give both his Matte and the Lords sufficient satisfaccon for to fortifie the justefyinge (not the stay of the shipp onely) but to prosecute their displanting from thence. And that web is now to bee defired is, that wee may bee heard to speake before ought bee done for the shipps dispatch. I hope you will make fome shifte to fend away the horses I fent you before the receipte of Mr Eyres to the contrary for I knowe they wilbee of more fervice and worth then any of you will ferve your felves whall att the Islands: besides heere is noe shipping that goes from hence till towards the winter quarter; but what you doe betweene you, shall please mee, thoughe I desire extreamely they may goe att this present, thoughe it were wholly on my owne accompte for their transportacon wth the horses. Lett this suffice I pray you for this present, for that my paine will suffer mee to say noe more att this time, fave only I befeech you to remember my humble fervice to my Lord Marshall and to lett his hono' knowe the misfortune that retaynes mee from attending His Lopp: foe foone as my harte defires, and foe much you may bee pleased to lett my Lord of Warwick knowe in like manner, wth the remembrance of my fervice to his Lopp. befeeching him not to bee flacke wherein you knowe his helpe may further the best wee shall gaine thereby wilbee the knowledge of what may bee expected from him hereafter; and fo I committ you to God and rest

Yo' affured loveing friend

FERD GORGES.

Bristoll the 6th Aprill 1632.

To his affured loveing friend Captaine John Mason att his house at Debtsord psent theise.

New York Colonial Documents. Vol. III. pp. 17, 18.
 From British State Papers. Trade Papers, X. 2.

LV. MASON



LV. MASON AND OTHERS TO VAUGHAN.

APRIL 18, 1632.

Mr. George Vaughan:

LONDON the 18th of April 1632

Pure trade comodities now shipped aboard of the ship John, are as followeth:

	£ 8. C.
158½ yards of playnes at 18d per yard,	11:17:09
$65\frac{1}{2}$ goads of cotton at 2s per goade,	06:11:00
59½ goades at 16d per goade,	03:10:08
50½ goades at 2s 1d per goade,	06:03:11
90½ yds. of shagge at 18d pr yd,	06:15:09
51 at 22½d per goade,	04:15:09
3 Greye ffrises at 50s per pe,	07:10:00
55 blanketts at 12s pr. pe.,	33:00:00
4 courser at 10s per pe.,	02:00:00
1 piece of fflannel yards 17½ at 12d per yd.,	00 : 17 : 06
In all to fend us by y' cofin Kinge,	83:10:04
1 piece of copall bayes 64 yds. at 15d per yard,	04:00:00
	87:10:04

These comodities were as you know, all but the three ffrises, one cotton and the piece of fflannell, by your taylor made into coates and stockings, viz:

```
50 men's coates,
24 children's coates,
51 wastcoates,
 3 caskots and hose and
 7 dozen and 7 paire of stockings,
    The dyeing and dreffing cost
                                                     07:10:00
    Threed, tape, buttons, lace,
                                                     02:11:06
    To the taylor for making.
                                                     08:01:00
20 paire of sheetes cost
                                                     10:01:07
    packing, canvas, cartage, custom house,
                                                     01:15:07
                                                    117:10:00
                  Summa,
```

P. 6.



P. 6. The comodities mentioned in the last folio are packed as you know in nine bales, marked all with a P, viz:

No. 1. 20 blanketts. No. 7 16 men's coates, 8 24 children's coates and 2 20 blanketts. 43 wascoates. 3 19 blanketts, In your own trunke. 4 1 cotton qts. 82½ yds. 3 ffrises ats. 201, 21, 22 yds. 3 mens coates. 20 paire of sheetes, 8 wascoates. 3 fuites cassocks and hose, 5 16 men's coates, 6 16 men's coates. 1 peice of fflannel red.

So the whole number of coates for men wth I for y^r owne th^t remained of a former voyage are 51. When God shall send you safe arrival, repaire we pray you unto Captaine Naile, we have written unto him to deliver these comodities unto you and such other trade goods as he can surnish you wth there of others if you desire them, and then we pray you to put them off for good beaver. Also we pray you to help us there w^t you can in dispeeding hither o^r returnes. And then if you thinke good to come unto us for another supplie we shall like it well. Thus we commende you to God.

Your loving friends,

JOHN MASON,
HENRY GARDINER,
THO. EYRE, for the rest
of the Adventurers.

[Endorsed] Mr. George Vaughan's remembrance or the company's Invoice of trade goods, 1632, No. 10.

New Hampshire Provincial Papers. Vol. I. pp. 66, 67.
 From Province Records. Book I. p. 5.

LVI. MASON

LVI. MASON TO NICHOLAS.

June 14, 1632.

M^R Nicholis

It is my Lord Treasurors pleasure that yow: take this petition in to your Care, To be Recommended to the Lords Commissioners for the Admiraltie, ffor a Pursers place amongst som of the new Shipps to be built, or in som other Shipp of the Navie which may fall voyd.

yo' verye lo: ffrind

JHON MASON.

JUNE 14th. 1632.880

[Endorfed] The humble peticion of Richard Hals purfer of his Matter shipp the St Claud.

- State Papers, Domestic. Charles I. Vol. CCXVIII. No 51, I.

LVII. MASON ON FISHING IN THE ISLE OF LEWIS.

1632.

Captaine Masons oppinion how the Stocke to be raised by the Associats of the Right Honorable the Lo: highe Three of England for the Intended fishings in the Isle of Lewes ought to be Imployed.

1. The Affociats ought to be naturalized Scottishmen and made Burgesses of a free Burrough to be Created at Sternoway in Lewes According to an Act of Parlament of King James 6th that they may be Capeable of any trafficqe to those parts as well as fishinge.

2. That

⁸⁸⁰ This is underwritten on the petition of Richard Hals, purser of the new ship now building at Deptford.

- 2. That the King purchase the Isle of Lewes from the Earle of Seafort in whole or in part In Lewe wherof his Matie may give other Lands of the Crowne of Scottland according to the Vallewe as I shall shew his Matie, which lye more Convenient for the Earle. And soe the Kinge to have the whole benistt of the Towles or petty Customes of the sishings of that Island, or otherwise his Matie to sett downe a rate reasonable for all Adventurers to pay for the vse of the Harbors and grownd Leave for packhouses and drying netts.
- 3. The Harbors and Loughs on the maine Land oposite to the Lewes must be free for our fishings with Grownd Leaue alsoe as in the Lewes to which End the Kings letters must be obtayned to the propriettors of those places and the Three to make Composition with them, The fishings of the Isles of Orknay and Shettland are free being the Kings land.
- 4. The King to bestowe 10 peeces Iron ordnance with Powder and shott sufficeent from tyme to tyme for maintenance of a ffort vpon the Island in Sternoway The Captaine and Souldiers shall be paid at the charge of the generall fishers and Inhabitants.
- 5. Euery Aduenturer may Increase his Aduenture yearlye as he pleaseth but not withdrawe it out of the Stocke without Consent of the Major part of the Associates of his Company.
- 6. All Codd and Linge to be brought to fale in this kingdom for a tyme and Herrings likewife except the Sommer Herrings which are only fitt for the marketts in Muscouia Poland and other places.
- 7. All fishers Imployed in our Shipping or boats shall goe for Shares, And there shares shall be bought at a rate by the Threr to the vse and benisitt of the Associats and his Matter subjects cheisly or all together to be set on worke.
- 8. All fuch fishers as will fell fish to be deliuered fresh at the pack-houses in the Lewes whether they be Inhabitants of the Island or others shall have a reasonable rate for it for which cause part of the Stocke in mony and victuals and some other Commodityes in a magazin must be there.

9. Euery

- 9. Euery Aduenturer shall have a bill of Aduenture from the Three for his particular and faire books shall be kept of all buyings and Sellings settings out and returnes wherby once in the yeare every one shall know how his monyes are Imployed and how his stocke in that particular stands.
- 10. It will be necessary that the Aduenturers or the greater part of them meet at tymes to Conferre of their Affaires and to order their Bussinesses wherin noe man of them shall be excluded from his vote or to Auoyd the Trubling a multitude a Committee may be chosen out of them and their meetings to be at the house of Captaine Mason in ffanchurch street.
- 11. Seeing this worke doth tend very much to Setting a worke the poore of this kingdome which for the most part are now Idle and Vagrants if his Math shalbe pleased to graunt to this Company in fauour of this their Enterprise 6 Ackers of Broomfeild Close neer Deptford for building workehouses and habitations for the poore that shalbe Imployed in spinning and makeing netts The Cittye of London may be Induced to build the said houses at their charge, or S; Henry Martyn out of the mony for Pious vses may build them in a short tyme and the stocke shalbe made to set the poore on worke by these Aduenturer[s].

[Endorfed] Capt: Masons paper how a stock is to be raised for ffishing.

— State Papers, Domestic. Charles I. Vol. CCXXIX. Nº 95.44

LVIII. MASON

solution 1851 No. 96 is an Agreement to be subscribed by affociates and others of the Council and Commonalty of the Society of Fishing. No. 97 is an estimate of the charges of rigging out one buss of about 40 lasts to the fishing and what profit may be expected from it yearly.

No. 98 is an estimate of the expense of building 10 busses with the furnishing them for sea for sour months' sishing and the profit from it. No. 99 is a map of the Isle of Lewis, two pages. Vide Calendar of State Papers, Domestic, 1631-1633, pp. 488, 489.

LVIII. MASON AND OTHERS TO GIBBONS.

DECEMBER 5, 1632.

LONDON, the 5th December, 1632.

Mr. Ambrose Gibbins:

Your fundrie letters we have received. We do take notice of your care and pains in our plantation and doe wish that others had bin that way, the same that you are, and will, we hope, soe continue. The adventurers here have been soe discouraged by reason of John Gibbes ill dealing in his fishing voiage, and also by the small returnes sent hither by Captaine Neale, Mr. Herbert, or any of their factors, as that they have noe desire to proceed any further untill Captaine Neale come hither to conferr with them, that by conference with him they may settle things in a better order; we have written unto Captaine Neale to dismiss the houshold, onlie such as will or canne live of themselves may stay upon our plantation in such convenient place as Capt. Neale, Mr. Godfrie and you shall thinke sitt, and after conference had here with Captaine Neale they shall have a reasonable quantity of land granted unto them by deed.

We praie you to take care of our house at Newichewanick, and to look well to our vines; also, you may take some of our swine and goates, which we pray you to preserve.

We have committed the cheife care of our house at Pascattaway to Mr. Godfrie and written unto Mr. Warnerton to take care of our house at Strawberry bancke, our desire is that Mr. Godfrie, Mr. Warnerton and you should joyn lovinglie together in all things for our good and to advise us what our best course will be to doe another year.

You defire to fettle yourself upon Sander's point. The adventurers are willing to pleasure you not only in this, in regard of the good report they have heard of you from tyme to tyme, but alsoe after they have conferred with Capt. Neale, they determine some further good towards you for your further incouringment.

We

We defire to have our fishermen increased, whereof wee have written unto Mr. Godfrie. Wee thank you for assisting John Raymond, wee pray you still to be helpful unto him, that he may dispatch and come to us with such retourne as he hath and if he hath any of his trade goods remayning unsold wee have willed him to leave them with you, and wee doe hereby pray you to receive them into your custody and to put them off with what conveniency you canne, and to send us the retournes by the first shipp that cometh. Thus we commend you and y wife to the protection of the Almighty

Your loving friends,

JOHN MASON,
HENRY GARDINER,
GEO. GRIFFITH,
THO. WARNERTON,
THO. EYRE, for my children.

[Endorfed] The company
of Laconia to Mr. Ambrofe
Gibbins, London, 5 December,
1632. Rec^d the 30th June, 1633.

— New Hampshire Provincial Papers. Vol. I. pp. 68, 69. From Province Records. Book I. p. q.

LIX. GIBBONS TO THE LACONIA COMPANY.

June 24, 1633.

AFTER my umble duty remembred unto your worship, I pray for your good health and prosperity; these are certifing your worship for the goods I have received from you. I have delivered unto Mr. John Raymon 76 lb. and 4 ounses of beaver, 10 otters, 6 musquashes and on [e] martin; more that Capt. Neale had 358 lb. and ii ounses of beaver and otter, 17 martins, on [e] black-fox skin, on [e] other fox skin, 3 racoon skins, 14 musquashes, two of them with stones. Mr. Raymon's present departing and the intermixing of all the trade goods

goods in my care, until Mr. Vaughan com I cannot give you any fatisfaction for the account of trade. I did advise Mr. Raymon to return with all speede unto you. Your letters I received the 7th of June. At large I wil write, if God wil by the next. Thus taking my leave I commit your worship to Almighty God, from Newichawanick, this 24th of June, 1633.

Your worship at comand,

AMBROSE GIBBIN.

Mr. Raymon has left a noot of perticular debtes which I do not dout but are good, and by his account, fay do amount unto 22 pound and $\frac{1}{2}$ of beaver.

[Endorsed] Mr. Gibbens to the company No. 4.

- New Hampshire Provincial Papers. Vol. I. pp. 73, 74. From Province Records. Book I. p. 16.

LX. CONTRACT WITH CHARLES KNILL.

JULY 1, 1633.

This present writing testifieth that Charles Knill doth covenant, wh Capt. Walter Neale, Governor of Pascattaquack, in New-England, in the behalf of Capt. John Mason of London, Esqr. and company, that the said Charles Knill shall serve at the plantation of Pascattaquack, for the use and benefitt of the said Capt. John Mason and company, from the date of this present writing until the first of March next ensuing, during we said time, the said Charles Knill doth promise to doe all saithful service to the said Capt. John Mason or his assignes. And the said Capt. Walter Neale doth promise in the behalfe of the said Capt. John Mason, that the said Charles Knill shall well and truely be paid for his service during the said time, the somme of sixe poundes, either here in New-England or in any other place where

where the faid Charles Knill shall conveniently appoynt, and the faid Walter Neale doth further promise in the behalfe of the faid John Mason, Esq. and company, that the said Charles Knill shall have passage into England the next yeare after the said terme expires, in any such shipp as shall be sent hither for this plantation, provided that the said Charles Knill shall serve in the aforesaid plantation untill the shipps departure (if it shall be soe required) after the rate aforesaid. In testimony whereof the said Charles Knill hath here unto subscribed, this first of Julie, 1633.

This is the true coppie of the covenant between Capt. Walter Neale and Charles Knill in the behalfe of the company.

New Hampshire Provincial Papers. Vol. I. p. 75.
 From Province Records. Book I. p. 18.

LXI. TRADE GOODS AT NEWICHWANOCK.

July, 1633.

An estimate of the trade goods left at Newichawanicke, July, 1633.

	£ s. d.
17 lined cootes,	17 00 0
7 unlined at 15s per peese,	o5 o5 o
11 ruggs,	11 00 0
5 papoofe cootes,	02 10 0
2 wast cootes,	oo o8 o
16 moufe cootes,	16 00 O
3 cootes lined,	o3 oo o
14 mouse cootes at 15s pr peese,	10 10 0
30 gallons of aqua-vity,	07 10 0
6 pare of ould sheetes,	o3 oo o
on rugg,	OI 00 O
	77 03 0

14 wast cootes

	£	s.	d.
14 wast cootes at 4s pr. peese,	02	16	0
39 men's cootes,	39	00	0
6 barnstable foyled ruges,	06	00	0
26 rotten blankits,	05	00	0
19 pare of stokins at 1s 6d pr. peefe,	10	ο8	6
71 pare of stokins 18 4d pr. pa.	04	13	8
32 shirtes ould and new at 4s pr. peese,	06	08	0
51 pare of shooes at 2s 6d pr. pare,	06	07	6
24 pare coorse rotten stokins,	01	04	0
4 kittles,	03	00	0
29 hatchits, at 2s pr. peese,	02	18	0
14 pare of rotten shooes,	01	00	0
	79	15	8
		03	
	156	18	8

[Endorfed] An estimate of the trade goods, 1633.

— New Hampshire Provincial Papers. Vol. I. pp. 74, 75. From Province Records. Book I. p. 17.

LXII. GOODS BELONGING TO THE LACONIA COMPANY.

July, 1633.

Goods left by Mr. George Vaughan.

Imp. 17 linde coats,	3 coats lined,
7 unlinde coats,	14 mouse coats,
rı ruggs,	? ould fheets,
5 papoofe coats,	30 gall. aqua-vitae
2 was coats,	ı rugg.
16 moufe coats,	

For these I have given a reseit to George Vaughan.

Goods

Goods left belonging to the old flore and left by Mr. Raymond.

14 was coats whereof 1 of the old store. 20 rotten torne blanketts.

30 men's coats.

6 rotten blanketts.

6 Barn. foyled ruggs,

In the store house at Newichawanick.

10 pr. of flockings.

2 doz. of coorfe rotten stockings,

5 doz. and a 11 pr. of stockings, course, 4 kittles,

32 shirts old and new.

2 doz. and 5 hatchets.

51 pr. of shoose,

rotten shoes 14 pr.

These things I have given a reseit unto George Vaughan to satisfie the company in England.

[Endorfed] Note of the trade goods that remain at Newichawanick, 1633, and also George Vaughan, the company's factor.

In the Garrett.

Imp. 3 flock beddes.

3 boulfters.

8 ruggs,

2 pr. of sheets.

3 whipp fawes,

1 frame fawe.

1 roade

1 herring nett,

1 runlett with bone ashes and crucibles.

2 hand faws.

т adz.

In the Middle Chamber.

3 caffocks and 3 pr. of breeches, of cloth.

6 stuff wascoates.

NEWITCHWANICKE, I D. of Julie, 1633.

I flock bedd and boulfter.

3 ruggs, 2 blanketts, 1 pentadoe.

5 pr. of shoes,

6 napkins.

2 short table cloths.

In the Great House.

3 ruggs and 2 pentadoes,

16 fishing lines,

10 fquidd lines,

13 mackerill lines,

4 knotts twine,

4 knotts chalke line,

3 pr. of stuff breeches,

4 stuff wascoates,

2 facks.

1 of a barr. of powder,

2 shovells,

1 steele

ı steele mill,	6 pr. of bandoleers,
11 chifells of fev'all foartes,	r carbine bagg,
2 pr. of pinchers,	6 fwoards and beltes,
4 augurs,	2 bundles match,
2 gunftock boryers,	r fowling piece,
ı fpike gimblett,	ı bafon,
2 hammers and 2 irons,	2 platters,
1 mason's hammer,	2 porringers,
3 iron wedges,	2 spoute potts,
2 hookes,	r qt. pott,
1 stone hammer,	r pinte pott,
2 felling axes,	ı iron kettle,
r pr. of bellowes,	ı brasse kettle,
15 recorders and hoeboys,	ı iron pott,
30 pr. of linnen flockings,	r iron griddle,
5 canvis fuites,	r frying pann,
19 pr. of leather stockings,	ı gridiron,
6 calfe skinns,	1 pr. of pott-hookes,
8 linnen capps,	r pr. of racks,
24 towels,	r glue pott,
10 plaines of fev'ral foartes.	r pestle and morter,
•	ı murtherer
T 47 Tital Days	2 chambers,

In the Little Roome.

3 hatts,
1 boulster feathers,
r fishing line,
r mackerill line,
3 pewter bottles,
2 drame cupps,
2 hand-bills,
2 padlocks,
I fmall bagg containing aules, great
needles, hob nayles and sparables,
7 musketts,
3 carbines.

ile, lle, n, -hookes, cs, morter, I old kettle, 1 iron ladle, 3 pick axes, 2 iron crows, 1 washing bowle, 1 pr. of ballance and 1 4 lb. waight, 9 bushells of meal and corne, 1 iron bound pale, 24 fwine great and fmall, 7 hens, 2 cocks and chickings, I grind stone, 1 pfalter.

Received

312 Captain John Mason.

Received from Mr. Card.

2 old roaps,	ı chifell,
1 frying pann,	1 calkin iron,
ı augur,	1 hatchett,
r adz,	r old fishing line
ı broken hand-faw.	rec'd 72 foote of

rec'd 72 foote of wampampeag,
thwart-faw,
filver,

rec'd 72 foote of wampampeag,
cover of
filver,

1 gouge, 1 fmall communion table cloth.

Rec'd from Capt. Cummack.

ı w't rugg,	ı fmall —— [defaced],
1 pr. of tonges,	1 fmall briftow carpetin,
I fire shovell w'thout handill,	I flock-bed and boulfter,
ı pr. of bellows,	: flock-bed and boulfter,
ı lamp,	I green rugg and I blankett.
ı old kettle, ı old pewter bowle,	Also rec. of Capt. Neale.
ı porringer,	16 pr. of childrens stockings and
1 spoute pott,	52 pr. of a larger.

Inventory at Newichawanake, 1633.

1 fmall cann,

At Pascattaquack 2d Julie, 1633.

Imp. 28 caffocks,	r still and worme,
19 pr. of breeches,	20 prs. of shooes,
18 canvis cassocks,	codd lines 23,
2 boults of canvis,	twaine flipps 4,
7 hamecks,	1 old redd wascoate,
6 stuff cassocks,	1 butt wh 5 nets in it,
8 wt. hatts,	beaver spears? 6 doz. and 10.
7 balls of cotton,	fcraps 5,
a hide and 2 peices of shoo leather,	4 old tinfes?
I watering pott for a garden,	ruff and clinch in 3 barrels,

fome



fome nayles and sparables, fpout potts 5, 4 leaves of tinn, a little trunk with 13 band, fome hooks and eies, hoeboys and recorders 26, 1 anvill. 1 hhd. of match, 1 budge barrell, codd lines not-band 10, stockings pr. 4, a ferkin of muskett bullets, thwart fawes 3, 7 aule blades. 1 baking iron, munmorth capps 3, I barrell w'th fome spickes, 2 doz. and 1 fmall blocks, dead-mans dies doz. 1, a fmall quantity molasses, plane irons fmall 16, plane irons great 4. hasps for doors 7. tapp boarers 4. chissells 13. I fett for a faw. hammers 4. calkin irons 4, old hatchetts 5, augurs 15, bung borers 2, iron pott 1, iron wedges 6, 1 bed and boulfter, I rugg. 1 blankett,

barrs of iron 6, steele barrs 3. leads for codd lines 24, old kettles 3, yarfee? stockings pr. 9, mackerill lines doz. 2 and 3 lines, chalk lines knotts 3. feathers 1 q. bitts doz. 2. fmall files 41. bigger files 3, rafps 5. copp nayles 57, 10 brass rings, poynts doz. 5, gang hooks for cott 11, fmall hookes 4, feveral papers needles of fevr'l foartes. fmall scales pr. 1, with waights belonging, redd bayes yards 181, fpitt 1, leads for netts 20. billbowes 1. codd lines band 6, 11 furnace barrs of iron of 2 foote. fhott moulds pr. 1. 3 augurs, I tinn funnell, I pint pott, melted, pewter bottles 2, leather bottles 2, 2 drame cups, 1 old axe. I bagg of wier hookes,

mill

	_
mill pecks 3,	1 pentadoe,
chifell 1,	new fasser? 3 inch and $\frac{1}{4}$ of an
ı iron gimblet,	inch,
1 markin iron,	3 flock beddes,
ı fea compaffe,	3 boulfters, 3 ruggs,
oat meale ½ a bushell,	1 blankett and 1 pr. of sheets,
10 bushells of meale,	2 pentadoes,
2 butts of mault,	1 bedd and rugg,
19 pounds of candles,	4 basons,
fmith's tools of fev'rell foartes,	6 platters,
mason's tooles,	3 faucers,
ı pick axe,	2 porringers,
r barrell and 🖟 of peafe,	1 quart pott,
I iron crow,	r jack of leather to drink in,
old boults and other old iron,	I flue pann,
1 bedd, 2 boulsters,	1 jack to roast meate,
2 ruggs, 2 pr. of sheetes and	2 fpitts,
1 pentadoe,	r iron skillett,
1 bedd and boulster and	3 kittles,
ı greene rugg,	1 braffe ladle,
ı old feane,	2 fryings panns,
10 herring netts,	r mustard-quarne
ı fpiller,	2 iron potts,
3 platters pewter,	3 pott rackes,
ı whipp faw,	2 pott hookes,
r thwart faw,	r flesh hooke,
1 barrel of match,	ı grater,
ı drume,	I iron bound paile,
2 barrels of powder,	3 great iron morter and pestle,
2 roades	ı great wire,
2 herring netts and	r beake horn,
2 feanes,	r anvill,
1 quoile of roapes, inch 2 and $\frac{1}{2}$,	ı fledge,
1 bedd and boulster and	2 hammers,
2 old blanketts,	1 pr. of great bellowes,
r bed and boulster and 3 pr. of sheetes,	1 furnace,
•••	*

1 steele



r steele mill,	4 carbines,
1 old blankett,	19 hedd peices,
1 crewitt,	6 holbards,
ı old ole kittle,	3 harrabuff-acrocks?
1 grinde stone,	2 rawenetts,
1 barr. and $\frac{1}{2}$ of pitch,	2 muck-herers,
$\frac{1}{2}$ a barr. of tarr,	4 chambers,
2 crowes of iron,	18 pr. of bandaleers,
1 bedd and boulfter, 4 ruggs,	ı great anker,
r pentadoe,	10 cowes and 1 bull and 2 calves,
ı pitch kettle,	goates, No. 8,
3 cleaver wedges,	hoggs No. —
planke pine 151,	fugar 61 lb.
2 fackers,	1 bedd and boulster,
r minion,	3 ruggs,
ı falcon,	blankett,
3 ladles,	1 bedd and boulfter,
3 fpounges,	2 ruggs,
2 fcowrers,	3 planes,
fhott,	ı chifell,
20 lbs. of leafe tobacco,	50 boards,
ı pewter dish,	5 bedds,
18 fwords and 4 fwoards at Mr.	5 boulfters,
Warnerton's house,	8 ruggs,
9 belts,	2 pr. of sheetes,
3 carbine baggs,	1 iron pott and pott hanger,
5 carbines,	2 kittles and 1 old one,
6 flaskes,	I fowling peece,
10 fpoones,	r carbine,
1 short carpitt,	1 pewter dish,
bristow carpetine for a bedd,	r bason,
redd and wt. boulfter for a bedd,	1 pewter qt. pott,
tongues, bellows and andirons of each	ı thwart faw,
ı pr.	ı fpitt,
21 musketts,	r pentadoe,
2 fowling peices,	r grinde stone,

poltrey

poltrey, 2 carpitts, 2 fervice bookes, connies No. boates, roades? fayles, netts, 2 chirurgeons chefts and 24 bowles in them, 2 chamber potts.

— New Hampshire Provincial Papers. Vol. I. pp. 76-80. From Province Records. Book I. pp. 20-22.

LXIII. GIBBONS TO THE LACONIA COMPANY.

July 13, 1633.

NEWICHAWANICK, July the 13th, 1633.

RIGHT HONORABLE, RIGHT WORSHIPFUL, AND THE REST, MY HUMBLE SERVIS MEMBERED.

Your letter dated the 5th of December, and Mr. Are's letter the third of April, I received the seventh of June. The detaining of the former letter hath put you to a great charge in the plantation: For my care and paines I have not thought it much, although I have had very little encoragement from you and here. I do not doubt of your good will unto mee. For your fishing, you complain of Mr. Gibes. A Londoner is not for fishing; neither is there any amity betwixt the West cuntrimen and them. Bristo or Barnstable is very convenient for your fishing shipes. It is not enough to fit out shipes to fish; but they must be sure (God wil) to be at their sishing place the beginning of Febuary, and not to come to the land when other men have halfe their viage.

Mr. Wanerton hath the charge of the house at Pascatawa, and hath with him William Cooper, Rase Gee, Roger Knight and his wise, William Dermit, and on boy. For your house at Newichwanicke, I, seeing the necessity, will doe the best I can there and elsewhere for you, until I hear from you again. Advice I have sent, but not knowing your intentes, I cannot well enlarge, but I refer you to Mr.

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Herbert

Herbert and Mr. Vaughan. For my fettlement at Sanders Point. and the further good you intend me, I humbly thank you; I shall do the best I can to be grateful. I have taken into my hands all the trade goods that remains of John Raymone's and Mr. Vaughan's. and wil. with what convenience I may, put them of. You complain of your returnes; you take the coorse to have little. A plantation must be furnished with cattle and good hire-hands, and necessaries for them, and not thinke the great lookes of men and many words will be a means to raise a plantation. Those that have bin heare this three year, fom of them have nether meat, money nor cloathes — a great disparagement. I shall not need to speak of this; you shall heare of it by others. For myself, my wife and child and 4 men, we have but 1 a bb. of corne; beefe and porke I have not had, but on peele this 3 months, nor beare this four monthes, for I have for two and twenty months had but two barrels of beare and two barrels and four booshel of malt; our number commonly hath bin ten. I nor the fervants have nether mony nor clothes. I have bin as spare as I could, but it wil not doe. These 4 men with me is Charles Knel, Thomas Clarke, Steven Kidder and Thomas Crockit. 3 of them is to have for their wages, until the first of March, 4/ per peese, and the other, for the yeare, 61, which, in your behalf, I have promifed to fatisfy in money, or beaver at 10s per pound. If there were necesfarys for them for clothing, there would not bee much for them to receave. You may, perhaps, thinke that fewer men would ferve me; but I have fometimes on C or more Indians, and far from neybers. These that I have I can set to pale in ground for corne and garden. I have diged a wel within the palizado, where is good water: I have that to close with timber. More men I could have. and more imploy, but I rest thus until I heare from you. The vines that were planted will come to little. They prosper not in the ground they were fet. Them that groo natural are veri good, of divers forts. I have fent you a note of the beaver taken by me at Newichawanicke, and how it hath gon from me. George Vaughan hath a note of all the trade goodes in my custody of the old store, John Raimon's and George

George Vaughan's acomtes; but the beaver being disposed of before I could make the divident, I cannot see but it must be all onpackt and be divided by you. The Governor departed from the plantation the 15th of July, in the morning. So for this time I end, committing you to the protection of the Almighty, and ever rest Your loving servant,

AMBROSE GIBBINS.

- New Hampshire Provincial Papers. Vol. I. pp. 81, 82. From Province Records. Book I. p. 23.

LXIV. NEALE AND WIGGIN TO MASON.

August 13, 1633.

Whereas Capt. Walter Neale and Capt. Tho. Wiggin booth agents or governors, one for the Pattent of Laconiah and the twenty thousand acres pattent at Rands-vough on the south side of Piscataway river or harbor, and the other for the patentees of Hilton Poynt. They having received orders from the said patentees to make a division of those pattents into sour towns, wh accordingly they did it, and desired us the subscribers advise therein, wh wee did give them, and were present at the doing thereof, and their doings therein is as solloweth, it being a copia of what they wroate hoome to the pattentees:

MUCH HONORED -

In obedents to your comands have survaied the river from the mouth of the harbor to Squamscutt Falls, and liquise from the harbors mouth by the sea side to the Massachusetts bounds and find the bounds

flight anachronism in this date. We BOUTON, D.D., Editor of New Hamp-suppose the letter was not finished the fire Provincial Papers.

bounds of your Pattents will not aford more than for two towns in the river of Piscataway, and the remainder will make another good towne, having mutch falt marsh in it, and because you would have foure townes named, as you defired, wee have treated with a gentleman who had purchased a tract of land of the Indians at Squamfcott Falles, and your land running up to the faid Falles on one fide of the river, from the Falls about a mile fouthward. faid gentleman having a mind to faid land on your fide to a certain crike and one mile backward from the river, wh was agreed on, and the crike is called Weelwrights, the gentleman's name being Weelwright, and he was to name faid plantation (when fettled) Exeter, and the other two townes in the river, the one North-ham, and Portsmouth the other, bounded as followeth: viz. Portsmouth runs from the harbors mouth by the fea fide to the entrance of a little river betweene to hed lands wh wee have given the names of the little Boreshed and the great Bores-hed, and from the mouth of that little river to go on a straight line to the aforesaid creeke, which wee have named Weelright creeke, and from thens down the river to the harbor mouth where it began. And North-ham is the bounds of all the land of Hiltons Poynt side, and the other land from the little river betwene the two Boores-heds to run by the sea till it meet with the line betwene the Massathusetts and you, and so to run from the sea by faid Massathusetts line into the woods eight miles, and from thence a twart the woods to meete wh Portsmouth line nere Whelewrights creeke, and that tract of land to be called Hampton, so that there is foure townes named as you defired, but Exeter is not whin the bounds of your Pattents, but the grete difficulty is the agreement about the dividing line betwene the patent of the twenty thousand Acres belonging to the company of Laconyah and the pattent of Bloody poynt; the river running fo intrycate, and Bluddy poynt pattens' bounds from thence to Squamfcutt Falls, and to run three miles into the woods from the watters fide. But for your better underftanding thereof wee have fent you a draft of it, according to our best skill of what we know of it at present, and have drawn a dividing line betwene

betwene the two Pattents, so that Portsmouth is parte of booth pattents, and Hampton we apprehend will be holly in the twenty thousand acre pattent, and North-ham is the bound of Hilton Poynt patten. If in what we have done be to your likings, we shall think our time well spent, and what further comands you will please to lay on us we shall readily obeye to the utmost of our power. We humbly take leave and subscribe ourselves

Your devoted and most humble servants,

WALTER NEALE,
THOMAS WIGGEN.

NORTH-HAM on Piscataway River, in New-England, 13 Aug. 1633.

[Addressed] To John Mason, Esq., Governor of Portsmouth, to be comunicated to the pattentees of Laconiah and Hiltons poynt, humbly present, in London.

Wee under written being of the Government of the Province of Maine, doe affirm that the above letter written and fend by Walter Nele and Thomas Wiggin, and directed to John Mason, Esq., Governor of Portsmouth, to be communicated to the pattentes of Laconiah and Hiltons poynt is a true copia compared with the original.

And further wee doe affirme that there was ffour grete guns brought to Piscatequa which were given by a March' of London for the desense of the river, and at the same time the Earle of Warwicke, Sir Ferdinando Gorges, Capt. John Mason, and the rest of the patentees sent an order to Capt. Walter Neale and Capt. Thomas Wiggin, their agents and governors at Piscattaway to make choise of the most convenient place in the said river to make a ffortesecatyon for the desense thereof, and to mount those ffour guns given to the place, which accordingly was done by Capt. Walter Nele and Capt. Thomas Wiggins, and the pattentees servants, and a drast was sent of the place that they had made choice of, to the said Earle and company, and the drast did containe all the necks of land in the north essense it the name

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name of ffort poynt and alloted it so far bake in to the island about a bowshoot to a grete high rock whereon was intended in time to sett the principal fforte. That the above is all truth wee affirme, and by the defire of Capt. Walter Nele and Capt. Thomas Wiggin, wee have ordered this wrighting to ly in our ffiles of records of these doings therein. In witness whereof wee have here unto sett our hands and feles at Gorgiana, in Province of Maine, in New-England, 20th August 1633.

RICH. VINES.

SEAL.

HENRY JOCELYN. | SEAL.

[Endorfed] Copia bounds of 4 townes on the fouth fide of Piscatagua river, and the fort poynt to ly on our Files of Records, August, 1633.

> - New Hampshire Provincial Papers. Vol. I. pp. 83-86. From Province Records. Book I. p. 24.888

The genuineness of the famous Wheelwright Deed and of this letter, both of which were first printed in Belknap's New Hampshire, ed. 1784, Appendix I. and VI., have been doubted by the Hon. James Savage and other antiquaries. See Savage's edition of Winthrop's New England, Vol. I. Appendix H, and his Genealogical Dictionary, Vol. IV. p. 540; and John Far-mer's edition of Belknap's History of New Hampshire, foot-notes on pp. 7 and 13-14. The other fide has been ably presented by the Hon. Charles H. Bell, LL.D. See John Wheelwright, Prince Society, 1876, pp. 79-141. A copy of the letter is preserved in the archives of New Hampshire, and is transferred to these pages. Another copy of this letter of Neale and Wiggin, without the preamble and the attef-

tation of Vines and Jocelyn, is found among these papers. It accompanies a letter purporting to be from George Vaughan, August 20, 1634, in which it is stated that the writer found it among his papers. It is endorfed: "Copy of a Letter to the Pattentees left with me August 163-." The date, instead of being 13 August, 1633, is 13 August, 1632; but the editor of the New Hampshire Provincial Papers, the late Rev. Nathaniel Bouton, D.D., states that the 2 looks as though it might have been altered from 3, and in the date of the endorsement, 163-, the last figure is mutilated. The letter of Vaughan and the accompanying copy of Neale and Wiggin's letter are printed in the New Hampshire Provincial Papers, Vol. I. pp. 95-97, from Province Records, Book I. p. 31.

LXV. CONTRACT 41

LXV. CONTRACT WITH WALL AND OTHERS.

MARCH 13, 1633-4.

Articles of agreement Jndented had made Concluded and fully agreed vpon the ffoureteenth Daie of Marche Anno Dñi i633. And in the Nynthe yeare of the Reigne of our Sou'aigne lord Charles by the grace of god Kinge of England Scotland ffraunce and Jreland Defendo' of the faithe &c Betweene James Wall William Chadbourne and John Goddard Carpenters of thone ptie And John Mason of london Esq of thother ptie, as followeth, vizt.

Withereas the faid John Mason being nowe resident in England and being possessed and interessed of and in Certen lands in Newe England neere vnto a plantacon there wherein he hath estate and interest Called Newichewanneck lying vpon and neere to the Ryver there Called Pascatawaye being the devision assigned vnto the said John Mason for his pte and porcon as it lyeth on the Northside of the faid Ryver, hath an Intention by gods pmission by the first and next Convenyent shipping to fend to his said lands and there to place and fettell fervauntts and others weh shalbe appoynted by him, whereby to further and increase his plantacon there alreadie begvnn & there to make & build howses and Mills & such other frames as the faid John Mason his agents or assignes shall from tyme to tyme geve order for and appoynt To and for we intent and purpose the said John Mason hath agreed with the said James Wall William Chadbourne & John Goddard for them Three to goe over vnto the faid lands of the faid John Mason with in the said plantacon in and by fuch shipp as the said John Mason shall withall Convenyencie prepare and have in readines to fend thither where the faid James Wall William Chadbourne and John Goddard have all of them agreed withe the faid John Mason to remayne and Contynue in and vpon the said lands

lands of the faid John Masons for and during the full tyme and terme of ffvve yeares to be reckoned and accompted from the tyme of there arryvall there and Coming thither fullie to be Compleat and ended & there to fell and Cutt tymber and make and build fuch howses mills and other things and to doe and pforme such other worke and builvness for and in the behalf of the said John Mason his heyres affociats and affignes as shalbe from tyme to tyme appoynted by him or them or his or theire agents and affignes to be made and done for his & theire vse and benefitt at and for such allowancs and vnder fuch Covennts Condicons and agreem as are hereafter specified according to the true meaninge of theis pfits. And whereas the faid John Mason for the better furnishing of his said lands in the said plantacon with victuell and other provisions and necessaries fittinge for the same doth purpose and intend god willing to provide and send over to his faid lands Certen Cowes goates fwyne and other things as he shall thinck fittinge and necessarie in that behalfe; It is nowe therevpon Covenñted graunted Concluded and agreed by and betweene the faid pties to theis pfits in mannor and forme following And ffirst the said John Mason doth for himselfe his heyres executors and affignes Covennt promife graunt and agree by theis phts That the faid James Wall William Chadbourne and John Goddard and eu'y of them shall have theire passage freely and without paying or allowinge any thinge for the fame from hence by shipping vnto the faid plantacon as for themselves as for all such necessarie ymplements and things as they shall Carry with them fitt for theire vse in the faid plantacon wch is accompted and esteemed at ffyve pounds starlinge p head; And that the said John Mason his agents associats and affignes shall trulie deliu or cause to be deliu ed vnto the said James Wall William Chadbourne and John Goddard at the lands of the faid John Mason in the said plantacon as they shall have vse of them the some or value of ffortie pounds starlinge in victuells if such a quantitie of victuell shalbe found necessarie for them & shalbe defired by them at such and the same rats & prics (bona fide) according as the same shall Cost and stand the said John Mason in with the freight and other Chargs of and Concerning the same after the arryvall vall and Comeinge of the faid James Wall William Chadbourne and John Goddard at and vpon the faid lands in the plantacon aforesaid; And eury one of them the faid James Wall William Chadbourne and John Goddard doe for themselves and eury of them and for the heyres executo" admstrato" and assignes of them and eury of them Covennt promise graunt and agree To and with the said John Mafon his heyres executors affociats and affignes by their phts well and trulie to make geve and allowe or Cause to be made geven and allowed vnto him the faid John Mason his heyres associats and affignes for the faid ffortie pounds worth of victuells we shalbe deliu'ed as aforesaid full payment and satisfacion out of and by the worke of the faid James Wall William Chadbourne and John Goddard arifing and Coming by fawing of Deales or otherwife accordinge to the rats and prics as for the tyme being the same will geve and yeild there in the Countrie in such fort and manner as that the said John Mason his heyres associats or assignes shalbe no looser thereby; Item it is agreed by and betweene the faid pties to theis plits And the faid James Wall William Chadbourne & John Goddard doe for themselves and eury of them theire and eury of theire heyres executo" and admifrato" Covennt promise and graunt To and with the faid John Mason his heyres executo" associats and assignes by theis pfits That they the faid James Wall William Chadbourne and John Goddard and eury of them shall in and to the said ffirst and next Covenyent Shipping web the faid John Mason shall send vnto & for his faid plantaon goe out from hence thither, and shall there remayne and Contynewe in and vpon his faid lands within the faid plantacon for and duringe the faid terme and space of ffyve yeares, and shall there make and build such howses Twoe mills and other frames and things and doe and pforme fuch worke and bufineffes for and in the behalfe of the faid John Mason his heyres associats and affignes as shalbe from tyme to tyme appoynted by him or them or his or theire agents and affignes to be made and done for his and theire vse and benefitt according to the true meaninge of theis phits Thone of wth mills to be made shalbe a sawe Mill wth shalbe made and fette vppon good fufficient and workemanlike fort and manner To

wth the faid John Mason or his assignes shall at his or theire owne Costs and Chargs provide and allowe all Iron that shalbe fittinge thereto, and thother of the faid Mills shalbe a water Corne Mill 884 w^{ch} shalbe likewise made and builded in good sufficient and workmanlike fort and Manner; And that they the faid James Wall William Chadbourne and John Goddard shall at theire owne prop Coste and Chargs after the faid twoe mills shalbe so made and builded, not onlie well & fufficiently repaire mainteyne keepe and amend the same Twoe mills and either of them in and by all things and in and by all manner of reparations & amendem. whatfoeur from tyme to tyme and at all tymes when and as often as neede shalbe or require during the faid terme of ffyve yeares But also shall vse and doe all theire and eu'y of theire best meanes endeavo' and diligence that they and eu'y of them possiblie Cann or maie for to sett and keepe the said twoe Mills and either of them to be vsed and ymployed in and with worke to and for the most benefitt Comoditie and advantage of the said John Mason his hevres associats & assignes And that they the said James Wall William Chadbourne and John Goddard or any of them shall not at any tyme after theire Cominge into the planta⊗n aforesaid leave depte from or geve ou' the worke and builynesses of the said John Mason wherein they shalbe ymployed and sett to doe by the faid John Mason his agents or assigents by or according to the true meaninge of theis pfits vnles it shalbe by and with the Consent and agreem' of him the faid John Mason his agents or assignes in that behalfe first had and obteyned: In Consideracon whereof the said John Mason doth for himselfe his heyres executor associats and assignes Covenit promise graunt & agree To and with the said James Wall William Chadbourne and John Goddard and eu'y of them and the hevres

and John Goddard came to New England with Henry Jossephin in the *Pied Cow*, which cast anchor at Newichwannock July 13, 1634. They set up there the saw-mill and the corn-mill named above in their deposition. They

had charge of these mills "for the space of three or four years," perhaps till the arrival of Francis Norton in 1638, as the agent of Mrs. Mason. Vide ante, p. 78, and the "Deposition of James Wall," post, May 21, 1652

heyres executo" and admistrato" of them and eury of them by theis phits That it shall and may be lawful vnto and for them the said James Wall William Chadbourne and John Goddard theire executo" & assignes to have take and receyve betweene and amongest them equallie pte & pte alike thone movtie or halfe pte not onlie of all fuch fome & fomes of money benefitt and advantage wth shall from tyme to tyme during the faid terme of ffyve yeares Come arise growe or be made gotten or gayned of or by the faid Twoe mills and either of them But also Three flowrth pts in flowre pts to be devided of all fuch howses and fraymes that shalbe made and wrought and likewise Three flourth pts in flowre pts to be devided of all fuch tymber that shalbe felled in and vpon the faid lands of the faid John Mason within the faid plantacon and prepared & vled by them or any of them to and for making & buildinge of the faid howses and ffraymes, or Three fourth pts of the money or Comoditie in liewe of money that the faid howses fraymes or tymber shalbe sould for, whereof a just accompt shalbe from tyme to tyme kept and made to the said John Mason his agents or assignes And that without any manner of lett trouble denyall or Contradicion of or by the faid John Mason his heyres associats or affignes or any of them And it is further Concluded and agreed by and betweene all the faid pties to theis phts And the faid John Mason doth for himselfe his heyres associats and assignes Covennt promise & graunt by theis puts That with in Thirtie dayes next after that the faid James Wall William Chadbourne and John Goddard shall arryve and Come to the lands of the said John Mafons within the plantacon aforesaid He the said John Mason his heyres affociats or affignes shall allowe and deliut vnto them the said James Wall William Chadbourne and John Goddard, Three Cowes, flowre goats and flowre Sowes to and for theire vie at and for the yearely rent and benefitt to be paid & allowed for the same as hereafter is expressed; And eury one of them the said James Wall William Chadbourne and John Goddard doth for himselfe and for his feu'all heyres executo" and admistrato" Covenit promise graunt and agree To and with the faid John Mason his heyres executors affociats

affociats and affignes by their phts well and trulie to paie geve and deliu' yearely and eu'y yeare for and duringe the faid terme of ffyve veares for the vse and benefitt of the faid Three Cowes floure goats and floure Sowes web shalbe deliuted vnto them the said James Wall William Chadbourne and John Goddard as aforefaid not onlie the fome of Sixe pounds Thirteene shillings and floure pence of currant money of England But also there moytie or halfe pte of the encrease of all Calves kidds and piggs wth shall yearely during the terme aforefaid Come arise & breed of or by eu'y of the same Cowes goats and Sowes aforefaid: And that the faid James Wall William Chadbourne and John Goddard theire hevres executo" admistrato" or assignes shall & will at or in thend of the faid terme of ffyve yeares make good and deliu vnto the faid John Mason his heyres associats & assignes in & vpon his faid lands within the plantacon aforefaid Three Cowes ffoure goats & ffowre Sowes of fuch & the like goodnes & value as those Cowes goates & Sowes we shalbe deliured vnto the faid pties aforenamed by or according to the true meaning of theis phts And moreou' it is Concluded & agreed by & betweene all the faid pties to theis phits And the faid John Mason doth for himselfe his heyres affociats & affignes Covennt promife and graunt To & with eury of them the faid James Wall William Chadbourne & John Goddard theire & eu'y of theire feu'all & respective heyres executo" & asfignes by theis pfits That within ffortie dayes after theire arryvall at the plantation aforesaid ech of them shall have allotted to him Tenne acres of land for theire pfite vie for plantinge of Corne & graylinge of Cattell & building of howses therevpon for eury of wth Tenne acres they shall pay yearely at the ffeast of Sainct Michaell Tharchungell one bushell of Corne. And that at thend of the said terme of ffyve yeares there shalbe allotted & allowed fortie acres of land more within the plantacon aforesaid vnto and for eu'y one of them the said James Wall William Chadbourne & John Goddard to and for eury of theire feu'all & respective vse weh shalbe graunted & letten by Jndenture of Lease to be made by & from the said John Mason his heyres affociats or affignes in due forme of lawe but eu'y one of the faid Three feu'all pties respectively for seu'all estats and termes of Three lyves

lyves at for and vnder the yearely rent of Three bushells of Corne for eury feurall quantitie & porcon of fourtie acres of land to be paid & deliu'ed yearely from and after fuch as eu'y of the faid feu'all quantitie or porcon of flourtie acres of land shalbe respectively allotted and allowed vnto eu'y one of the faid Three pties aforefaid respectiuely So as eu'v one of them doe and shall by theire seu'all & respectiue leases to be made Covennt & bind himselfe his executo" & assignes to make build & sett vpp at his & theire seu all & respective prop Costs and Charges one Conuenient howse for habitacon vpon eu'y of the faid three feu'all quantities & porcon of land to be allotted as aforefaid respectively ou & aboue such howses as they shall build in the meane tyme vpon the Tenne acres of land graunted feu'allie to ech as aforesaid & for keeping and maineteyning of ech seu all howse so to be made & builded as aforesaid in good and sufficient repacons during the feu'all Contynewance of ech feu'all Leafe respectiuely. And to & for the true pformance of all and eury the seurall Covennts graunts & agreem aforesaid on ech and eu'y of the seu'all & respective pts & behalfe of them the said James Wall William Chadbourne & John Goddard to be pformed & keept as aforesaid accordinge to the true meaning of these plits ech & eury one of them the faid Three pties doe feu'ally and respectively bynd himselfe & his feu all & respective heyres executo & admistrato vnto the said John Mason his heyres executo" associats and assignes in the some of One Hundred Pounds of lawfull money of England to be paid and recorded by theis plats In Witnes Whereof the faid pties to theis pfite Articles of agreement Indented Enterchaungeably haue fett theire hands and feales. Dated the Daie and Yeares ffirst aboue written.

Sealed and Deliu'ed in the pfice of vs

WILLM FRITHE fcr.

ROGER BEALE HENRY JOCELYN

And: Alphonsus ffrithe

[Endorsed] James Wall W^m Chadbourne and John Goddard theire Couenfits.

- Massachusetts Archives. Vol. III. p. 437.

LXVI. GORGES



LXVI. GORGES AND MASON TO WAR-NERTON AND GIBBONS.

May 5, 1634.

Mr. Wannerton and Mr. Gibbins:

These are to let you know that wee, win the consent of the rest of our partners, have made a devision of all our land lying on the northeast fide of the harbor and river of Pascattaway, of the quantities of w^{ch} lands and bounds agreed uppon for every man's part, we fend you a coppie of the draft, defiring your furtherance, with the advise of Capt. Norton and Mr. Godfrey, to fet out the lynes of division betwixt our lands and the lands of our partners next adioning, because we have not onelie each of us shipped people present to plant uppon our owne lands, at our owne charges, but have given direction to invite and authoritie to receive fuch others as may be had to be tenants, to plant and live there, for the more speedie peopling of the countrie. And whereas there is belonging unto me, Sir Ferdinando Gorges, and unto Capt. Mason, for himself, and for Mr. John Cotton and his deceafed brother, Mr. William Cotton, both whose interests Capt. Mason hath bought, the one halfe of all matters mentioned in the inventorie of householde stuffe and implements left in trust wth you by Capt. Neale, whereunto you have fubscribed yo' names,885 and whereof a coppie is herewth fent, we defire you to cause an equall division.

figned by Ambrose Gibbons and Thomas Warnerton, and prosesses to be a schedule of goods received by them from Capt. Walter Neale. This may be the inventory reserved to in this letter and in the next. If so, the last figure, 5, in the date July, 1635, is a mistake for the figure 3, since Neale left the Pascataqua, July, 1633, and the goods must have been received from him in that month.

Under July, 1633, ante, will be found another inventory of goods at that date at Pascataqua and Newichwannock. In this lift the various articles are entered promiscuously, apparently as found in various places. In the inventory signed by Gibbons and Warnerton, articles of the same kind are added together and arranged under several headings. I cannot, however, make the two inventories agree.

division, as neere as possiblie may, to be made of all the saide matters menconed in the inventory in kinde, or if some of them cannot be soe divided, then the on halfe to be made equall to the other in valew of all the said matters, except the cattell and suites of apparell and such other things as belong peculiarly to Capt. Mason, and to deliver the said one halfe of all the saide matters so to be divided unto Mr. Henry Jocelyn, for the use of our Plantations; taking an inventory thereof under his hand, of all you shall so deliver hime, and making certificate to us thereof. And for your so doeing, this shall be your suffitient warrant and discharge. And so we rest,

Y' verie lovinge friends,

Ferdin: Gorge, John Mason.

Portsmouth, Maye 5th, 1634.

[Endorsed] Sir Fer: Gorge and

Mr. Mason, to Mr. Wannerton and Mr. Gibbins, 5th May, 1634,

No. 6.

New Hampshire Provincial Papers. Vol. I. pp. 88, 89.
 From Province Records. Book I. p. 27.

LXVII. MASON TO GIBBONS.

May 5, 1634.

Mr. GIBBINS:

These people and provisions, which I have now sent w Mr. Jocelyne, are to sett upp two mills uppon my owne division of lands lately agreed upon betwixt our adventurers; but I think not any of them will adventure this yeare to the plantation, besides Sir Ferdinando Gorges and myselse; for which I am sorrye, in that so good a business (albeit hitherto it hath bene unprofitable), should be subject to fall to the ground; and therefore I have strayned myself to do this at this present, and could have wished that the rest would have ioyned to have

have fent you some provisions for trade and support of the place; but that failing, I have directed to you, as a token from myselfe, one hogshead of mault to make you some beare. The servants with you, and fuch others as remain upon the companies charge, are to be difcharged and payed their wages out of the stocke of beaver in y' hands, at the rate of 12s (?) the pound, whereof I thinke the company will write you more at large: And we have agreed to divide all our moveables mentioned in the Inventory that Capt. Neale brought home, 386 wch were left in trust wth you and Mr. Wannerton. I bought Mr. Cotton's and his brother's parte of all their adventures, fo that the halfe of all belongs to Sir Ferdinando Gorges and myfelfe; and of that halfe, three quarters will be dewe to me, and one quarter to Sir Ferdinando. These things being equally divided, they are to be delivered to Mr. Joceline, my three quarters of the halfe, and the other fourth to whom Sir Ferdinando shall appointe. And you must afford my people some house roome in Newitchewanocke house, and the cowes and goates, weh are all mine, and 14 fwine, with their increase, some grounds to be uppon, till we have some place provided upon my new divided lands, or that you receive my further order. A copie of the division of the lands is herewth fent unto you.

The stockings and mault, and suites of cloathes, and suggar, and raysinges and wine that was delivered by Mr. Bright and Mr. Lewis, I have not received any satisfaction for; wherein I must crave y' helpe and such satisfaction as may be sent by this shipp. The christall stoanes you sent are of little or no valew, unless they were so great to make drinking cupps or some other workes, as pillars for saire lookinge glasses or for garnishing rich cabinetts. Good iron or lead oare I should like better of, if it could be found. I have disbursed a great deal of money in y' plantacon, and never received one penny; but hope if there were once a discoverie of the lakes, that I should, in some reasonable time, be reimbursed againe. I pray you helpe the

see foot-note on page 329. fentences are in *italics*. Not so in the original.—Rev. Dr. Bouton.

Mr. what you can to some of the best iron stoane for ballast, and in case he want other laddinge, to fill the shipp upp wth stocks of cypress wood and cædar. Let me here from you of all matters necessary, and wherein I maye doe you any pleasure, I shall be reddie. And so wth my heartie commendations, I rest

Yo' verie loving friend,

JOHN MASON.

PORTSMOUTH [ENG.], May 5, 1634.

[Endorsed] Mr. Mason to Gibbins.

No. 7. May, 1634. Received 10th of July, 1634.

New Hampshire Provincial Papers. Vol. I. pp. 89, 91.
 From Province Records. Book I. p. 28.

LXVIII. GOODS IN CUSTODY OF HENRY JOSSELYN.

July 20, 1634.

A REMEMBRANCE of goods and amonition left with Mr. Joslyn in the house of Newitchawanack, who goods belonge unto the worshipful company of adventrers for Laconia.

Imp. 2 flock-beds and 2 boulfters.

It. 3 Irish blanketts and 2 Kilkany ruges,

It. on pare of old sheets,

It. on pantado coverlid,

It. one great iron kittle. I received not [illegible].

It. one iron poot,

It. one iron skillit,

It. one pare of pott-rackes,

It. one pare of poot-hookes,

It. one spit,

It. one great brass kettle and one ould kettle,

It. two pewter platters and one bason,

Ιt,



It. 7 al-? fpoones,

It. 2 hand-faws 6 foote longe,

It. 3 iron wedges,

It. one fervis booke,

It. one murtherer and 2 chambers,

It. 7 musketts and 6 pare of bandelears,

It. 2 kerbines and one pare of bandelears,

It. 6 fwords and 6 belts,

It. one pare of scales,

It. one grind-stone and iron nesessary,

It. one steele mill.

Goods that your workmen had by your request, promising me satisfaction for them.

It. one ades.

It. one whip-faw,

It. one flock-bed and boulster,

It. one kilkeny ruge and one blankett,

It. one grind-stone with iron handle and axitree.

These goodes delivered by me,

AMBROSE GEBBINS.

These goods here under writ, borrowed by Mr. Henry Joselyn sor Capt. Mason's use, of Ambrose Gibbens, were spent and worne out in his service:

> Imp. Irish blanketts, one kilkenny rugg, one pare of old sheetes, one pentadoe coverlett, one ould brass kettle, seaven spoones.

For these goods I acknowledge to be accomptable unto Ambrose Gibbins whensoever he shall deliver up his charg of goods now in his hands belonging unto ye company of Laconia. Witness my hand this 27th day of August, 1634? 888

Pr. Me, Henry Joselyn.

Thefe

** This last figure is obscure. — REV. DR. BOUTON.

These are to certifie whom it shall concerne, y' I, Henry Joselyn, doe by these charge myself to be accomptable (as Capt. Mason's agent in New England, in the year of 1634?) unto any of the adventurers y' were associated in ye company of Laconia or there agents for al such goods as I have received fr'm Ambrose Gibbins and here expressed in this invoice, for Capt. Mason's accompt. Given under my hand this 20th July, 1634.

Pr. me, HENRY JOSELYN.

Witness, Henrie Sherburne.

New Hampshire Provincial Papers. Vol. I. pp. 93-95.
 From Province Records. Book I. pp. 30.

LXIX. GIBBONS TO MASON.

August 6, 1634.

Sir:

Yor Wor'shp have donne well in setting forward your Plantacon, and for your milles they will prove beneficial unto you, by God's affistance. I would you had taken this coorse sooner, for the merchants I shall be very cautylous how I deale wth any of them while I But God's will be done, I and the world doth judge that I could not in these my dayes have spent my time for noe thinge, for there fending trade and support I desire it not. I have supported but now funke under my burthen; the more I thinke on this, the more is my griefe. I have rec^d the hog^d of mault that you fent me giveing you humble thankes for the fame. The fervants that were wth me are discharged and payd there wages for the year past, and I have delivered unto Mr. Warnerton, 43 lb. of beaver to pay those that were wth him for the year past, for the paying of the servants there old wages, or the dividing of the goods, I expect a general letter, if not then to heare further from your worsh, yo' carpenters are with me and I will further them the best I can. Capt. Neale appoynted me two

of

of your goates to keepe at his departinge. I praise God they are 4. Of the goods that Mr. Bright left I only recd of Capt. Neale 4 bush'lls of mault and at fevrall times 8 gallons of fack, and from Mr. Warnerton 7 bush'lls and I peck of mault, 5 lb. and ½ of sugar, and 3 pr. of children stockings, and 97 lb. of beefe weh was of an old cow that Mr. Warnerton killed, being doubtful that shee would not live all the winter, for these I will pay Mr. Joselin for you. I prceive you have a great mynd for the lakes and I as great a will to affift you, if I had 2 horses and 3 men wth me, I would by God's helpe soone resolve you of the cituation of it, but not to live there myself.839 The Pide-cow arrived the 8th of Julie; the 13th day she cast ankor some halfe a mile from the falle; the 18th day the shippe unladen; the 19th sell downe the river; the 22d day the carpenters began about the mill; the 5th of August the iron stone taken in the shipp; there is of 3 foartes, on fort that the myne doth cast forth as the tree doth gum, w^{ch} is fent in a rundit, on of the other foartes we take to be very rich. There is great stoare of it, for the other I know not; but may it please you to take notice of the waight and measure of every fort before it goith into the furnace, and w' the stone of such waight and measure will yield in iron. This that wee take to be the best stone is I mile to the southward of the great house, it is some 200 rods in length, 6 foot wide, the depth we know not; for want of tooles for that purpose we tooke only the surface of the mine. I have paled in a peice of ground and planted it. If it please God to send us a drie time, I hope there will be 8 or 10 quarters of corne, you have at the greate house of cowes, I bull, 4 calves of the last year, and g of this yeare; the prove very well, farre better than ever was expected, they are as good as your ordinary cattle in England, and they goates prove some of them very well both for milk and breed. If you did fend a shippe for the Westerne Islands of 6 scoare tunne or there abouts for cowes and goates, it would be profitable for you. A flock of iron worke to put away wth your boardes from the mill will be good. Nayles, fpikes, lockes, hinges, iron worke for boates

889 In Belknap, in italics. — Rev. Dr. Bouton.

boates and pinaces, twine, canvis, needles and cordage, pitch and tarre, graples, ankors and necessaries for that purpose.

Sir, I have written unto Mr. John Round to repair unto your worsh, he is a filver smith by his trade, but hath spent much time and meanes about iron. May it please you to send for him; he dwelleth in Mogall street. If you are acquainted with any siner or mettle-man enquire of him and as you see cause send for him, he is well seene in all myneralls. If you deale not wth him, he will give you a good light for your proceedings. The 6th of August the shippe ready to set sayle for Saco to load cloave boards and pipe staves; a good husband with his wife to tend the cattle, and to make butter and cheese will be profitable; for maids they are soone gonne in this countrie. For the rest I hope Mr. Jocelyn for your owne pticulers will satisfie you, for I have not power to examen it. This wth my humble service to your wors I rest

Yor ever loving fervant, Ambrose Gibbins.

NEWITCHAWANOCK, the

6th of August, 1634.

[Endorsed] The coppie of a

letter to Capt. Mason, the 6th of August, 1634, from Mr. Gibbins. No. 8.

New Hampshire Provincial Papers. Vol. I. pp. 91-93.
 From Province Records. Book I. p. 29.

LXX. REPORT ON THE REPAIR OF SOUTHSEA CASTLE.

1634.

THE 3^d of June. 1627. There was delivered vnto the Lorde, figned by Barnard Johnson the Engineere an Estimate of the Repayre of Southsea Castle ammounting to in toto

The Copie whereof is wth the Clarcke of the Councell and an Order for Repayre of the same.

The

The 5! of May. 1634. There was another Estimate made by Cap! Mason, whose called sundry workemen to the Castle to consider of the Repayre of the same, and he sound it to aryse at the lowest, & thristiest account to

. 699. 4. 6

Whereof a particular is ready to be produced;

Since w^{ch} latter Survey of Cap! Masons, (w^{ch} onely had respect to the Repayre of the place wthout much addicion to the fortisacon stop (Cap! Paparill the Engineere hath made another Estimate of worke, conceaved to be very fitting to be done, if it shall soe please theyr Lops, & the rather in regard of securing the Kings Navye, that lyeth wthin the harborough at Portsmouth, ammounting, as appeares by the particulars herewth tendered, to

. 1189. 3. 4.

[Endorsed] Capt Mason.

- State Papers, Domestic. Charles I. Vol. CCLXXXI. Nº 67.

LXXI. MASON'S PETITION CONCERNING THE SOUTHSEA CASTLE.

JANUARY 26, 1634-5.

To the right hono! Richard Earle of Portland Lod highe Trear of England & to the Right hono! the residue of the Lod Comission! for the Admiraltie.

The humble representation of the estate of Southsea Castle

By Cap, John Mason Cap of the same

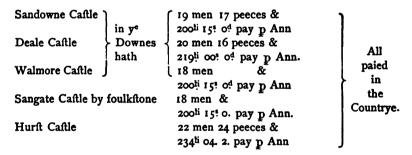
Sheweth That y° faied Castle comanndeth y° Channell & mouth of y° haven of Portsmouth, in reguard all shipping must first passe by it & very nere vnto y° Ordinance thereof; wch caused S' John Ogle &

M Sic; quære, read "fortificacion." — COPYIST.

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y*

ye rest of ye Comission, for surveigh of sfortes in Anno 1624 to certifie ye board That this Castle was of great vse for that it was a guard to the Iland & a fuccour to the Towne of Portfmouth & is conceived to be the most exquisite peece of fortification in this kingdome. That by accident of fire in Anno 1626 ye whole Tymber buildinges of ye bodie of the faied Castle were burnt to the ground So that there is not any lodgeing at all for the Capine nor any place for the fouldiers wherein they maye lye drye. That never fince Anno 1628 any supply of powder or other Munition hath bine deliuered for defence of this Castle. And ye remaines of Powder shortly after ye death of ye late Capi Walter James in December last were found to be about 4 barrells onely. That y' Ordinance are only 8 peeces; viz 4 Demy Culveringes & 3 Sakers & one minion al ould Iron peeces, & one very small faulken of brass. The number of Gunners & souldiers are but Eleaven. And ye whole pay of ye Castle is but 139h 18' 4d pr ann payable out of the Excheq! Whereas Landguard fort hath 83 men 35 peeces of brass & Iron ordinance & 1486 03: 4d pay pr Ann.



Besides many other ffortes of much less consequence all web exceede this Castle verye farr in Ordinance men and paye.

The Premises considered y° Petition' humbly prayeth yo' Lopps to give order for repaier of the burned buildinges & other decayed workes of the saied Castle And also for a supply of powder & other Munition requisite, wth such an increase of Ordinance & Gunners as

to yo' Lope wisdomes shall seeme fittinge for these times & for that place we is now trusted wh a good part of his Maie Navie

And the Pet! shall euer pray &c.

[Endorsed] South Sea Castle.

R. 26° Jan. 1634. Capt. Jo. Mason, Capt. of Southsea Castle.

- State Papers, Domestic. Charles I. Vol. CCLXXXII. Nº 87.

LXXII. REPORT OF SOLDIERS SENT TO THE ISLE OF RHÉ.

MAY 25, 1635.

Common Souldiers at Rez

	The Number Imbarqued June ye 27th 1627 } at Portsmouth	5934
	The Supply added out of Ireland: in Septemb. following	1899 7833
	Hereof Slayne & Drowned at y Descent July y 12th 1627 about	409
4 Octob: 29 1627	More flayne at ye Affault of ye Cittadell and)	3895
2	More flayne in Recouering our Trenches from ye Enemye about	100
3	More Dyed vpon ye bloody flux by eating Grapes about	120
5	Returned back into England & landed at } Plymmouth & Portfmouth	2989
	The Difference	7513
	is — 320 which in 15 Weekes fervice in ye for Enemye might well be loft.	ace of the
	anomy o angue were no south	Ву

By which Accompt it doth Appeare That of Common Souldiers their was only embarked to the Ile of Rez 7833 & their was flayne in that fervice viz at the descent and in the assault & in the Retrait & also in the tyme of the seidge of the Cittadell & at other tymes whin the Compass of that service by Casualtie of warr the nomber of 4844 Common souldiers befydes officers which ar not mentioned in this Acco: & their was landed at Plymouth & Portsmouth vppon the Retourne of that voyadge about the nomber of 2989 besys[des] officers as afores all which as exactly as I could I have Caused to be Collected from the books of my Accompts of Musters & payments for & Concerninge the state of the contract of the second seco

By me JHON MASON.

Westminster the 25th of Maye 1635.

[Endorfations.]

- (A) Copie of the Accompt of the nombers of Common Souldiers befydes officers fent to the Ile of Rez 1627, and of those that we are lost in that service Also of the nomber Retourned back; as it was delivered the 25th Maye to Sr James Bagg at his Request to serve him in his answer to the alligations of the Lo: Mohun against him before the Lordes in the Court of Starr Chamber on Wednesdaye the 3d of June 1635.
 - (B) Mr Bradly for Souldiers at Reas.

- State Papers, Domestic. Charles I. Vol. CCLXXXIX. Nº 39.

LXXIII. MASON TO SMITH.

JUNE 22, 1635.

Mr. Robert Smith

Being fodainly to take Journey to Portsmouth by order of the Lords, insomuch that I cannot attend M' Thomas Wyen about the Commission I am to have for the Vice Admiraltie of New England, my request is that you would take a little paynes to gett a book drawne for the office of a Vice Admirall & send it to me to Portsmouth

that

that I may see it before it be ingroased. It pleased his Ma^{ue} to signifie his pleasure to the Lord Comissioners for the plantations that I should be Vice Admirall of New England, which lyeth betwixt 40 and 48 degrees of northerlie latitude in America And by reasons of the great distance & remotenes from hence, being about 1000 leagues the authoritie given ought to be the more lardge, whereof I pray yow take some care; M' Dickenson received the Lords pleasure & M' Nicholis likewise had some direction about this commission for me, to whom if you repaire you may have for warrant to Mr. Wyen for drawing upp the Cōmission, and for any charges concerning the business, if you please to repaire to my Cozen Noell at my brother Wolastans house in ffoster Lane he will deliver yow mony, & so wth my best respects take leave & rest

22th June 1635.

Yor verye lo: ffriend Jhon Mason.

- State Papers, Colonial. Vol. VIII. Nº 68.

LXXIV. INVENTORY OF GOODS AT PAS-CATAQUA AND NEWICHWANNOCK.

JULY, 1635.

An Enuentory of the Goods and Implements belonging to the Plantations at Pascataway and Newichewanock in New England, July, 1635.

AT PASCATAWAY.

Arms and Ammunition.

3 Sakers, 3 Minions, 2 sfaulcons, 2 Rabenets, 4 Murthers, 2 Chambers, 22 Harquebusses, 49 Musketts, 46 Fowling-peices, 67 Carbins, 6 Pair of Pistols, 61 Swords and Belts, 15 Hallberds, 31 Heed-peices, 82 Beaver Speers, 50 slasks, [blank] pair of Bandeleers, 13 wt. Powder, [blank] Iron Bulletts, 2 stirkins of Lead

Lead Bullets, 2 Hogshd. Match, 955 lbs. of small Shot, 2 Drums, 15 Recorders and Hoyboys.

Stores.

50 Cloth Caffocks & breeches, 153 Canvas Caffocks and breeches, 40 Shott Caffes & Breeches, 80 Shirtt, 58 Hats, 40 doz. Course Hose, 130 pair Shoes, 204 pair Stockins, 79 Monmouth Caps, 149 pair small Hose, 27 lined Coats, 4 Rugs, 15 papous Coates, 23 Red cloth Wast Coats, 16 Moose Coats, 9 ps. Red Bays, 375 yds. of Saile Cloth, 12 Bolts of Canvas, 12 Hides of Shoe Leather, 17 ct. wt. Lead, 14 Iron Pots, 23 Iron Kettles, 1276 lb. wrought Pewter, 504 lb. wrought Brass, 5 Bll. Nails. 1 Barl. Spikes, 146 Barrs Iron, 23 Barrs Steel, Quantities of all forts of Smiths, Coopers, Masons Tools, 19 Bll. Pitch, 16 Bll. Tar, 5 Quoils of Rope of 2½ inches, 3 Quoils Rope 3½ inch, 10 Cables of 4 inches, 12 Herring Netts, 6 Seans, 70 Codlines, 67 Mackrill lines, 11 Gang Cod Hook, 30 doz. Mackril hooks, 10 Squid lines, 70 Knots Twine, 1500 Boards, 1151 pine Planks.

Provisions.

140 Bushels Corn, 8 Bar. Oate meal, 32 Bar. meal, 15 Butts Malt, 29 Bar. Pease, 153 lb. Candles, 610 lb. Sugar, 1512 lb. Tobacco, 6 Pipes of Wine, 170 Galls. Aquavita, 2 Chirurgeon's Chests.

Cattle.

31 Cows, 3 Bulls, 15 Steers & Heifers, 12 Calves, 63 Sheep, 29 Lambs, 52 Goats, 67 Hogs, old & young, 19 Mares, Horfes & Colts.

Fishing Trade.

6 Great Shallops, 5 Fishingboats with Sails, Anchors & Cables. 13 Skiffes.

For Religious Use.

I Great Bible, 12 Service Books, I Pewter fflaggon, I Communion Cup & Cover of Silver, 2 fine Table-Cloths, 2 Napkins.

Αт

AT NEWICHEWANOCK.

Arms and Ammunition.

2 Robenets, 2 Murthers, 2 Chambers, 9 Harquebuffes, 47 Mufketts & Bandeleers, 28 ffowling pieces, 33 Carbines, 4 Cafe Piftols, 36 Swords & Belts, 6 Bar. Powder, 57 Bullets, 1 firkin lead Bullett, Bar. Match, 1 Drum, 504 Small shot.

Stores.

31 Cloth Cassocks & Breeches, 35 Canvas Cassocks, 55 Stuff Coats & Breeches, 67 Shirts, 43 Hats, 191 pr. Shoes, 152 pair of Stockins, 28 Monmouth Caps, 43 lined Coats, 32 Red West Coats, 6 ps Bays, 4 Bolts Canvas, 14 ct wt Lead, 793 pewter, 594 ct Brass, 482 of Copper, 3 Bar Nails, 90 Bars Iron, 15 Bars Steal, all forts of Smiths, Carpenters, Masons, Coopers Tools, 2 Seans, 344 pine planks, 1073 Boards.

Provisions.

192 Bushells Corn, 5 Bar. Oatemeal, 15 Bar. Meal, 12 Butts Malt, 9 Bar Pease, 97° Candles, 390 Tobacco, 370° Sugar, 2 Pipes Wine, 240 Galls. Aqua vita, 1 Chirurgeons Chest.

Cattle.

24 Cows, 2 Bulls, 22 Steers & heifers, 10 Calves, 92 Sheep & lambs, 27 Goats, 64 Hogs, old & young, 13 Mares & horfes, 9 Colts.

This is a true Inventory of the goods left by Capt. Walter Neal to be deliuered to Henry Jocelyn, Efq., by command of Capt. John Mason, & received by us.³⁴¹

Ambrose Gibbins, Thomas Wenerton.

Vera Copia, Teste,

R. CHAMBERLAIN.

**1 This inventory is copied from ealogical Register, Vol. II. pp. 40, 41, the New England Historical and Genwhere it is printed from an old copy of

The Names of Stewards and Servants sent by John Mason, Esq., into this Province of New Hampshire.

Walter Neal, Steward. Ambrose Gibbins. Steward. Thomas Comock. William Raymond. Francis Williams. George Vaughan, Thomas Wonerton, Steward. Hinry Jocelyn, St., Francis Norton, Steward. Sampson Lane, Steward. Reginald Furnald, Chirurgeon, Ralph Gee, Henry Gee, William Cooper,

William Chadborn. ffrancis Matthews. Humphrey Chadborn, William Chadborn, Junr., ffrancis Rand, James Johnson, Ant. Ellins. Henry Baldwin, Thomas Spencer, Thomas Furral. Thomas Herd, Thomas Chatherton. John Crowther. John Williams, Roger Knight, Henry Sherburn, John Goddard, Thomas Furnold, Thomas Withers,

Thomas Canney. John Symonds, John Peverly. William Seavy. Henry Langstaff. William Berry. Jeremy Wolford. Tames Wall, William Brookin. Thomas Walford. Thomas Moor. Joseph Beal, Hugh James, Alexander Jones. John Anlt, William Bracket. James Newt, Eight Danes, Twenty Two Women. 442

LXXV. MASON

the document. The next article, *The Names of Stewards and Servants*, is from another old paper, the date of which is unknown. It is reprinted from the fame volume, p. 39.

M2 The names of the following perfons also in the employ of Capt. Mason or the Laconia Company appear in the first volume of the New Hampshire Provincial Papers: Thomas Blake, p. 71; Thomas Clarke, p. 82; Thomas Crockett or Crockwood, p. 82; William Dermit, p. 81; Stephen Kidder or Teddar, pp. 70 and 82; Charles Knill or Neale, pp. 71 and 75; John Pickering, 87. Edward Godfrey was also entrusted with property at Pascataqua.

There is in the fixth volume of Colonial Papers in the British State Paper Office a petition to the Privy Council from Sidrack Miller, of London, cooper, showing that by contract with John Mason of London, John Cotton and Henry Gardiner, and the rest of the adventurers for the province of Laconia in New England, Miller and two fervants were transported to Pascataqua, where they worked for the Company eighteen months; that being fent to England by the Governor, he left his fervants there, who have fince been fuddenly discharged destitute of means or friends; that the Governor would not pay their passage-money nor the Company

LXXV. MASON TO NICHOLAS.

JULY 11, 1635.

WORTHY S.

There is nothing of moment at p'sent to advertise you of. The King's ffleet is not as yet Retourned. The only newes is that the Dunkerckers floopes have and doe daily take many of the ffrench banckers & other small Shipps. One of their Sloopes sent into this harbor about 14 Dayes fince a prize of 60 Tonns wth 1400 banckfish hir owner was the Bishopp of Newhaven; and the same sloope as is Reported hath taken & fould 5 other prizes, one at yo Cowes to Rob. Newland, a fflemish bottom of about 160 Tonns & 4 others at Waymouth poole & to the westward. They speake of above 150 fayle of ffrench brought into Dunkercke Oftend & Gravelinge. S. I pray you be pleased to move the [?] when you fynde a convenient tyme for a warrant for my viceadmiraltie in New England; That which I had from the Councell of that Corporation, when I shewed it, you thought it littell ptinent to the viceadmiraltie, fforafmuch as it cheifly concerned the suppressinge of pyratts & planters & Traders yt should infest y' coast or come there whout licence; much of the fame nature was that Comission granted by my lo: Duke for Newfoundland; New England is lardge & spatious & the plantations doe extend alreddy 300 miles vppon the Seacoast; The English Inhabitants are supposed about 13000 & 6 sayle of Shipps at least if not more belonginge to the plantations, befydes Reforters for fishinge & Trade & such as carye people and Cattell yerelie amount to above 40 fayle. Theis things

Company fettle the money due to the petitioner. Prays that the Company may be ordered to pay the money due to him and his two fervants for the work done according to contract. Vide Original Documents in the English Archives relating to Maine, by George

Folsom, 1858, p. 8, and Calendar of State Papers, Colonial, edited by W. Noël Sainsbury, Vol. I. p. 138. The document has no date. Mr. Folsom conjecturally assigns it to the year 1634, and Mr. Sainsbury to the year 1631.

things confidered wth the great distance from the seat of instice here when need shall be thereof, & occasions doe & will p'sent daylie causes of controversie. Their Lpp I hope will be the sooner induced to give my warrant a Dispatch & to carry wth it such an Amplitude as that Country and matters there maye Require. We are as bufye as we may about Repayringe the walls of the moat & drawbridge & Gates of Southsea Castell in the first place, but before we come to make loadings & places for Stoares this 400th we have Received will be exspended as the Engeneire sayth so that I must come with a suit to the Lords for more moneys shortly. We are the outwork of the Towne & first & cheif guard of the harbor & I would fayne be in fome reddines for the ffrench against they become our Enemye which will be very shortly if my Callender be true. I have not as yett Received any part of my supply out of the Tower so y' I am ashamed to see o' weaknes. I am still like an evill debtor Runninge on the Skore wth yowe; but you are pleased to interprett all things lovingly & to be still like yo' selfe wth & to him That is

Your very lo: ffriend & fervant

JHON MASON.

Portsmouth this 11th of Julye 1635.

[Addressed] To the Right Worshipful
Edward Nicholes Esquier
Secrettarie for the Admiraltie
in Kings Street in Westminster
deliver

[Endorfed] Julij 1635
Capt. Mason concning his pattent to be Vice Ad! of New England.

- State Papers, Colonial. Vol. VIII. Nº 71.

LXXVI. ORDER

LXXVI. ORDER FOR A PATENT FOR MASON AS VICE-ADMIRAL OF NEW ENGLAND.

OCTOBER 1, 1635.

WHEREAS it is his Matre pleasure That Captaine John Mason Treasaurer to his Matres late Armies shalbe Vice Admirall of New England in America: These are to pray & require you to cause a Patent to be forthwth drawen vp. & iffued (in his Mats name) vnder the Great Seale of the Adm¹?, authorizing the faid Captaine John Mason to be Vice Admirall of his Maty Dominion in New England, weh lyeth betweene fforty & fforty-eight Degrees of Northerly Latitude, the fame being (as wee are informed) according to the extent of a former Patent, wth the Councell & Corporation of New England hath now furrendred to his Ma^{tye}: w^{ch} new Patent is to comprehend the South Seas & Coastes thereof, together wth California & Nova Albion being all conteyned whin the faid Latitude, and alfoe all Lakes & loughes whin the lands whether they be fresh, or Salt water, being whin the faid Latitude: Weh fayd Patent of Vice Admirall is to continue during his Matter pleasure, & to conteyne such authoritye as is used to be granted to any Vice Admirall here in England; wth power to appoint Deputies, & vnder Officers (the Judge, Register & Marshall excepted) as alsoe wth such clauses, & provisoes for making yearly due accompts. & otherwise, as is expressed in the Patents graunted to Vice Adm!:: here in England: ffor web this shalbe yor warraunt: ffrom Whitehall this ffirst day of October. 1635.

FRA COTTINGTON

Dorset

FRAN: WINDEBANK

[Addreffed] To o' very loving friend S'. Henry Martin K'. Judge of the high Court of Adm'yo

[Endorsed] Capt. Mason. 1# October 1635.

- State Papers, Colonial. Vol. VIII. Art. 80.

LXXVII. MASON

LXXVII. MASON TO WINDEBANK.

1635.

The abuses now Committed in his Maria ffortes & Castles.

THE King alwaies payeth for full Companies of Souldiers whereas in most fortes a good part are wanting.

Divers that doe ferve & ought to have the Kings full allowance of pay are Compounded wth for a small some wth the Capt puts in his purse to the dishonor & disservice of the King.

Banckrupts & others that are malefactors are intertained into the Kings fortes & protected from Justice.

Souldiers & Gunners places as they fall are fould for monie was ought to be given to deferving men gratis.

The Cap^{tes} take noe oath to the King, nor haue they any orders or instruccions how they or theire souldiers ought to demeane themselves, in theire places, But think them selues by theire patentes no other waies tied to duety, than they that haue the keeping of a lodge in a parke.

The Kings landes belonging to divers Castles are lost by Capt^{es} Neglects or theire Connivers or by theire combyning wth such as haue made incroachm^{tes} vpon them as Southsea Castle landes, Calmer Castle landes Hasellworth Castle landes & divers others.

Manie of the Castles for want of due reparacions (w^{ch} most haue not had these 60 yeares) are fallen to Ruine & there is not any officer that hath the oversight of them That might informe his Ma^{tes} Counsell, or the Lord Trer of anie of the matters that they may be reformed.

To redresse these abuses Capt Mason by Comission is Inioyned twice every yeare to travaile from one end of the kingdome to an other & to crosse the seas to Jersey & Gernsey. He is to be accountable to the Board & the Commissioners for all his doings & to the Exchequor for all monies he shall receave & pay or save to the King

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by checks of dead paies or otherwife, And hath allowed him for his paynes but 13° 4° per diem a very small pay in consideracion of his so great travaile & expences & the service that he is by this Commission to performe for his Mate.

Capt Mason is content wth the office for his life wherefore

The perpetuity of the office maie be left out of the Commission, if it shall please the Lo: Commiss for the Tressory so to haue it.

[Endorfed] for M' Secrettary Winnebanck. Capt: Mason.

- State Papers, Domestic. Charles I. Vol. CCCVI. Nº 98.

LXXVIII. INDENTURE TO FRANCIS MATTHEWS.

OCTOBER 1, 1637.

This indenture made the first day of October, Ann. Do. 1637, and in the thirteenth year of the rayne of our Soveraigne Lord King Charles:

Whereas Sr. Ferdinando Gorges, Knight, Capt. John Mason, Esquire and their asotiates, by virtue of a pattente is rightly invested and seased on a parsell of Land in New-England, in America, called Piscataway, and for the prosecutinge of thear affairs in thos parts, hath asigned Richard Vines, Henry Joslin and Thomas Warnerton, gentlemen, theare agents; wee, therefore, Richard Vines, Henry Joslin and Thomas Warnerton, do demise, grant, lette unto Francis Mathews, all that parsell or portion of lands in Pascataway River, lyinge upon the north west side of the great Island, commonly called Muskito Hall, beinge a necke of land by estemation on [e] hundred acres

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acres or thear abouts, more or less, to have and to hould all the demised premises, the appurtenanses to the sayd Francis Mathews, his heirs, executors, administrators, assigns, from the date hereof, untill the terme of on [e] thousand years be fully compleat and ended, yealding and payinge thearfor the annual rente of two shillings unto the sayd Sir Ferdinando Gorges, Capt. John Masson, their heirs, executors, administrators and assigns, if it be lawfully demanded, uppon every stirst day of October during the sayd terme of on [e] thousand years. In witness of the truth? we have hear unto sete our hands and seales the day and year above wrighten.

RICH. VINES,
HENRY JOCELYN,
THO. WARNERTON.

Witnesse, Narius Hawkins, Vera copia.

[Indorfed] Vines, Joslin and Warnerton to Francis Mathews, for Musketo Hall, October, 1637.

New Hampshire Provincial Papers. Vol. I. pp. 98, 99.
 From Province Records. Book I. p. 34.

LXXIX. MRS. MASON TO GIBBONS.

MAY 6, 1638.

LOVING FRIEND MR. GIBBENS:

I understand that you have some swine in yo' hands belonging to my late husband, Captaine John Mason, and now to mee. I pray good Sr. deliver them speedily to y' bearer hereos, Ffrancis Norton, whom I have made my general attornie for my whole estate in yo parte,

parte, to whom I pray you afford your loving affiftance in what is convenient, and your equitie and love herein shall oblige mee to remaine.

Yo' loving friend,

ANNE MASON.

EAST GREENWICH, May 6th, 1638.848

[Superfcribed] To her loving friend
Mr. Ambrofe Gibbens there.

— New Hampshire Provincial Papers. Vol. I. p. 99. From Province Records, p. 35.

LXXX. DEPOSITION OF JAMES WALL.

MAY 21, 1652.

The Deposition of James Wall, taken the 21 of the 3 month 1652. This Deponent sayeth that aboute the yeare 1634, he with his partners William Chadbourne and John Goddarde, came ouer to New England upon the accompt of Captaine John Mason of London, and also for themselues, and were landed at Newichawannock vpon certaine lands there which Mr. Goieslem Captaine Mason's agente brought them vnto, with the ladinge of some goodes, and there they did builde vpp at the fall there (called by the Indian name Asbenbedick) for the vse of Captaine Mason & ourselves one sawe mill and one stampinge mill for corne 344 wth we did keep the space of three or source years next after; and surther this deponent saith, he builte one house vpon the same lands, and soe did William Chadbourne an other & gaue it to his sonne in law Thomas Spencer who

only the fignature of this letter is in the handwriting of Mrs. Mason. A facsimile of the fignature will be found at the end of this volume.

*** Vide ante, p. 78, and "Contract with Wall and Others," ante, March 3, 1633-4.

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now lives in it; and this deponent also sayth that we had peaceable and quiete posession of that land for the vie of Captaine Mason afforesaide, and that the said agente did buye some planted ground of some of the Indians which they had planted vpon the saide land, and that Captaine Mason's agente's servants, did breake vp & cleare certain lands there and planted come vpon it and all this is to his beste remembrance.

James Wall sworne whoe affirmed vpon his oath that the pmises was true. Sworne before me

GEORGE SMYTH

- Massachusetts Archives, Vol. III. p. 444.

LXXXI. ACTION OF KING'S LYNN ON MASON'S BEQUEST.

JANUARY 29, 1654-5.

1654. At the Congregation there houlden, Monday, January, the 29th (Tho: Greene, Mayor)

Whereas we are informed that John Mason, late of the Citty of London, Esq., deceased, by his last Will & Testam', dated the 26th day of November 1635, did give & bequeath unto the Mayor & Corporation of the towne of Kings Lynn in the County of Norss., & to theire successors for ever, 2000 acres of land in his County of New Hampshire, or Manor of Masons Hall in New England, under the yearely rent of one penny, with this provisoe, likewise, amongst others, that the said Mayor & Comonalty, their successors or assignes, should, within five yeares next after his decease, plant & sett upon the same 2000 acres sive samilyes of people, at least, to plant upon the same; and whereas the said John Mason hath been dead about or neare twenty yeares; and yet notwithstanding the said Mayor & Comonalty have

have not hitherto thought it meete to accept of the same, by reason of the great charges which would necessaryly follow thereupon; and whereas we are defired by Robert Greene of Swafham in this county. mercer, to assigne unto him the said 2000 acres; we, therefore, takeing the fame into confideration, and findeing, not only our Tyme for acceptance of the fame to be elapsed, but alsoe the great charges which would follow in case we should have accepted it, doe therefore order that an inftrument be (according to the request of the faid Robert Greene) made & fealed with the comon feale, granteing thereby unto him all our right, title, & interest which we have in & to the faid 2000 acres, the same to be made according to such forme as is now this day read in this house.

> - From the Hall Book [i. e. Minute Book of Proceedings, Orders, &c., of the Corporation] of King's Lynn Co., Norfolk. Vol. VIII.

LXXXII. DEPOSITION OF HENRY JOSSELYN.

July 4, 1661.

Affidavit of Henry Focelyin.

HENERY JOCELYIN Aged ffivety Swareth that Aboute Twenty Eight or Twenty nine years Sinfe Cap, Walter Nele Gave unto Mr Ambros Gibbons a Certaine Tracte of Land on Piscattaway River called Sanders Point Lyinge betwene the Little Harbor and Sagamores Creeke (for and In Confideratyon of his fervices Performed to the Company of Laconia) to containe in proportyon of Acres to the other Dividends gave unto Cap, Tho Cammocke 845

the New England Historical and Genea-

John Mason confirmed the grant of Neale to Cammock, by a deed dated May 1, 1634, which deed is printed in South Boston, Mass.

Captain John Mason.

354

M. Tho: Wannerton and myselse on the other side of the River and fferther saith not.

Dated This 4th July 1661 -

Taken upon oath before me this fforfth of the ffeith month one Thousa Six Hundred sixty one: 1661.

NIC: SHAPLEIGH

Recorded - 30th Jan'y: 1706 p W. VAUGHAN Record:

- Rockingham Records. Lib. 5. Fol. 185.





THE

ROYAL CHARTER TO CAPT. JOHN MASON, AND OTHER DOCUMENTS.

I. CHARTER FROM CHARLES I. TO CAPT. JOHN MASON.

August 19, 1635.



HE first statement which I have met with that a charter from the King was obtained by Capt. John Mason is in a pamphlet, printed in 1728, entitled,—

A Short Narrative of the Claim, Title, and Right of the Honourable Samuel Allen Esq. Deceased to the Province of New Hampshire in New England: Transmitted from a Gentlewoman in London to her friend in New England.

Prefaced to the Narrative is a brief letter, dated "London, July 2. 1728," and figned "I. A.," in which it is stated that the writer had caused "a brief account of Mr. Allen's right to said Provinces" to be prepared. Then follows the Narrative,

in

in which, among the evidence produced, is an abstract of a charter to John Mason, dated August 19, 1635. Later references to fuch a charter are found. William Douglass, M.D., in his "Summary, Historical and Political," Vol. I. 1749, p. 418, states that King Charles by patent, August 19. 1635, confirmed the grant of New Hampshire; and in Vol. II. 1753, p. 24, he reprints an advertisement of John Hobby and John Adams, who claimed, under a deed of fale August 28, 1706, from Thomas Allen, son and heir of Samuel Allen, to Sir Charles Hobby, grandfather of John Hobby, one half of the lands which the advertisement states were "granted to Capt. John Mason of London, by Letters Patent from the Council established at Plymouth, dated March 9, 1621, and confirmed to him by Charter, August 19, 1635." This advertisement appeared in the "Boston Post Boy," November 20, 1749, from which newspaper it was reprinted by Douglass.

There has been much controverfy upon the question whether a charter was actually granted to Mason. Nothing purporting to be a copy of such a document has till now been produced. But in March last, after the copy for the preceding pages was all in the hands of the printers and nearly all the matter was in type, William M. Sargent, A.M., of Portland, Maine, the editor of the "York Deeds," to which reference has already been made, see and also of the "Maine Wills," now in press, was requested by the Publishing Committee of the Maine Historical Society, under whose charge the "York Deeds" are published, to furnish for the second volume of that work an explanation of the reasons which led Robert

846 Vide ante, p. 209, foot-note 311.

Robert Mason in 1667 to cause the two grants from the Council for New England to his grandfather Capt. John Mason 847 to be recorded in Maine. Mr. Sargent, in looking up the history of the matter, had the good fortune to hear of a folio manuscript volume of eighty-four pages in the possesfion of Mr. Mofes A. Safford, of Kittery, and to obtain it as a loan. The book contains certified copies of documents supporting the claims of Capt. John Mason, and those who held under him. Among these documents 848 is a copy of what purports to be a charter from Charles I., dated August 19, 1635. This is certified to be a true copy examined and attested by Richard Chamberlain, 849 Secretary of the Province of New Hampshire.

There are three views to be taken of this document, of which a copy is here preserved: first, that it is a genuine charter; fecondly, that it is an unexecuted charter or a draught of one; 860 and thirdly, that it is a forgery.

The chief evidence that it is genuine is the copy of the charter

⁸⁴⁷ These grants are printed in full,

ante, pp. 209-215.
A detailed lift of the documents was printed in the Portland Advertiser, April 11, 1887, and reprinted in the Boston Evening Transcript, April 15, 1887.

Richard Chamberlain was the

fecond Secretary of the Province of New Hampshire, and held this office under Cutt, Waldern, and Cranfield. He was the author of Lithobolia, published at London in 1698, and reprinted in the Historical Magasine, New York, 1861, Vol. V. pp. 321-327. His predecessor as secretary of the province and clerk of the council was Elias Stileman, whose record of the proceedings of the council of New Hampshire from Jan-

uary 1, 1679-80, to December 22, 1680, is printed in the *Proceedings of the Maffachusetts Historical Society*, September 12, 1878, Vol. XVI. pp. 256-279, with annotations and an historical pref-

ace by Charles Deane, LL.D.

The Council for New England, after dividing their territory and before furrendering their Charter, petitioned the King to order the Attorney-General to draw up patents for the grantees of the feveral divisions (vide ante, p. 207). It is possible that Mason may have had a draught of fuch a charter as he wished to obtain drawn up, or he may have had the formal document prepared, and this may have been found among his papers.

charter here preferved, and the attestation of Richard Chamberlain as Secretary of New Hampshire that it is a true copy; the prefumption being that Chamberlain had the original charter before him, and had made proper investigation of its authenticity. The statements quoted at the beginning of this article are also evidence that such a charter was claimed The fact that other documents in this to be in existence. volume, which are certified to by Richard Chamberlain bear date 1683, renders it probable that this was certified to at about that time, and as Chamberlain was the intimate friend of Robert Mason, the inference is that Mason had then posfession of the original. The copy certainly was made not far from 1683, as Chamberlain figns it as Secretary of the Province of New Hampshire, and he held this office only There are other documents in this from 1680 to 1686. newly found volume, which, though referred to in various places, I have not met with in print or manuscript. them, however, are preserved in the British State Paper Office or elfewhere.

Some of the reasons for believing that it is either an instrument not fully perfected or a forgery are: (1) No contemporary evidence has been produced to show that Charles I. granted a charter to Mason. (2) George Vaughan, writing from London, April 10, 1636, to Ambrose Gibbons, says that Sir Ferdinando Gorges told him that Mason was prevented by death from procuring a patent from the King.801

and that between Maremake and Piscataqua he left for Mr. Mason, who, if he had

**He told me he is getting a pattent for "his own division "from the Kinge from Piscataqua to Sagadahock, the New Hampshire Provincial Papers, Vol. I. pp. 97, 98.

(3)



(3) "The Lords of Trade, in a report to the King in 1753, fay: 'It is alleged that the last grant to Mason was confirmed by the Crown by charter dated August 19, 1635, with full power of civil jurisdiction and government; but no such charter as this appears upon record.' "852 (4) The ground of Mason's claim to territory in New Hampshire is explicitly stated in the commissions issued by Charles II. to John Cutt, September 18, 1679, as president, and to Edward Cransield, May 9, 1682, as Lieutenant-Governor of that province; but this ground is not a royal charter to John Mason, but simply grants to him from the Council of Plymouth. (5) There is no reference to a charter from the King in any of the petitions of Robert Mason, nor in the two statements of his title, nor in the legal opinions in his case, nor in the records of the Privy Council that have been printed. 863

It

tory of New Hampshire, p. 15, foot-note. A century and a third have passed fince the Lords of Trade made their report, and still no evidence from the record offices of England has been produced showing that a charter to Capt. John Mason passed either the Great Seal or the Privy Seal. The process of passing Letters Patent under the Great Seal is a very complicated one. Vide a paper by Charles Deane, LL.D., on Forms used in issuing Letters Patent, in the Proceedings of the Massachusetts Historical Society, December, 1869, Vol. XI. pp. 168–188. Had a charter passed any of its stages, there ought to be some

Farmer's edition of Belknap's His-

charter was produced as evidence in any court of law at any time. The nearest

record preserved. I trust that exhaus-

tive fearch will be made in the British

Archives.

approach to proof is this very copy, and its certification by the Secretary of the Province of New Hampshire. As it is found among documents which were fworn to in court, it may reasonably be supposed that it was used in the same case; but if such be the fact, it is singular that this is not noted in the certification. Other documents in the volume are certified to as being fworn to in court, and as being under feal; but Chamberlain omits to certify these facts concerning this alleged charter, which, if valid, is the most important document of all. It is hard to understand why, if this charter be genuine, it was treated with fuch neglect. Why, it may be asked, was it not produced by Mason when his case was on trial in England, particularly in 1677, when the cases of himself and Gorges were heard by the chief justices of the King's Bench and Common Pleas. It is evident that he

It is to be hoped that further developments concerning the history of this Charter will be made, and that the mystery which surrounds it will eventually be cleared up.³⁵⁴

The Charter is here printed by permission of Mr. Sargent, from his Introduction to the second volume of "York Deeds," now in press. It is as follows:—

CHARLES by the Grace of God King of England Scotland ffrance & Ireland Defender of the ffaith &c To all to whome these presents shall come Greeting Whereas our trusty and welbeloved Servant Captain Iohn Mason Esq Treasurer and Paymaster of Our Armies hath been an humble Suitor unto Us to grant and confirme unto him and his heyres a part and portion of the Country of America now commonly called or known by the name of New England in America hereaster in these presents described and to be described by the Meetes and bounds thereof with diverse and Sundry privileges and Iurifdictions for the welfare of the State of those Colonies that are and shalbe drawne thither and for the better Government of the people that shall live and inhabit within the Limits and precincts thereof Which part or portion Wee have heretofore amongst other things for Us our Heyres and Successors taken into Our actual and real possession and in default of Such actuall & real possession formerly taken doe by these presents for Us our Heyres and Succesfors

did not produce a charter, for both Mason and Gorges laid claim to the government of their territories; but when they both "waived the pretence of a grant of government from the Council of Plymouth, wherein they were convinced by their own council that no such power of jurisdiction could be transferred or affigned by any color of law," the justices decide that the question was reduced to the Province of Maine, where

Gorges had a grant from Charles I. Vide Belknap's History of New Hampshire, Vol. I. App. p. 29.

Belknap's History of New Hampshire, in a foot-note, pp. 14, 15, prints the evidence on both fides, which he had met with on the question whether Mason had his title confirmed by the King. This is reprinted in the New Hampshire Provincial Papers, Vol. I. pp. 36, 37.

fors take the fame into Our actuall and reall possession Knowe vee that of Our Speciall grace certain knowledge and mere The Kings motion Wee have given granted and confirmed and Grant by this Our present Charter for Us our Heyres and Successors Wee doe give grant and confirme unto the faid Captain Iohn Mason his Heyres and Assignes All that part purport and portion of the Main land of New England aforefaid begining from the midle part of Naumkeck River and from thence to proceed Eastward along the Seacost to Cape Anne and round about the same to Pascataway harbour and Soe forwards up within the River of Newichewanock and to the furthest head of the faid river and from thence Northwestwards till Sixty miles be finished from the ffirst Entrance of Pascataway harbour And also from Naumkeck through the River thereof up into the Land West Sixty miles from which period to cross over land to the Sixty miles End accounted from pascataway through Newichewanock river to the Land Northwestwards aforefaid And also all that the South half of the Isles of Shoulds Together with all Jslands and Islets as well imbayed as adjoining lying or abutting upon or near the premises or any part or parcell thereof within five Leagues distance not otherwise lawfully granted to any by Speciall name All which part purport and portion of Lands Islands and premises now are and from henceforth shalbe called by the name of Newhampshire And also of Our especial grace certaine knowledge and mere motion Wee have given granted and confirmed and by this Our present Charter for Us our Heyres and Successors Wee doe give grant and confirme unto the faid Captain Iohn Mason his heyres and assignes All that other parcell or portion of Lands woods and Woodgrounds lying on the Southeast part of the River of Sagadahock in New England aforefaid at the mouth or entrance thereof containing there Tenn Thousand Acres which said other parcell of land now is and from henceforth shalbe called by the name of Masonia And also the Reversion and Reversions remainder and remainders of all and Singular the faid lands Jslands and premifes dependant or expectant upon any estate or estates whatsoever 46 upon

upon record or not upon record be it for lease life or lives yeare or years ffee taile or fee tailes or otherwife Together also with all the firme lands Soyles and grounds as a well under water as above water and dry all the Shoares Creeks havons harbours bayes ports rivers waters lakes Mines Minerals and veynes of mettall aswell Royall of Gold and Silver as other be they Such mines minerals or veynes The ffifth part of mettall as are close and hidden in the earth or openly of the oare of Seen in or upon the Earth (Saving only the ffifth part Gold & Silver of all the oare of Gold and Silver to remain to Us Our is referred / Heyres and Successors) All Quarries precious Stones pearls ambergris and all fishings of what kind or kindes of ffish foever as well pearle ffishing as others whether Royall ffishes as Sturgeons Whales or any other ffish by whatsoever name or names they or any of them are or shalbe called or knowne And all Such shift whatfoever by him them or any of them to be taken And all and Singular profits benefits & commodities whatfoever happening growing or arising or to be happen grow or arise within or on the said tracts of land upon the Main/ and also within or on the said Islands or any of them and the Seas fflouds waters lakes and rivers within the faid tracts of land on the main or the Islands and coasts of the Licence to found fame or any of them/ And also all the advowsions and Churches patronages of Churches whatfoever to be erected within the faid tracts of the main land or Islands or any of them with licence and hability there to build and found Churches Chappels and Oratories in places fitting and convenient and to dedicate or confecrate the same or cause the same to be dedicated or consecrated according to the Ecclefiafticall lawes of this our Realme of England together also with all such and as ample Jurisdictions prerogatives All regall rights Royall rights royalties privileges ffranchises prehemigranted with nences liberties powers Exemptions and immunities the premises temporalities and hereditaments aswell by Sea as land and aswell within the said tracts of land upon the main aswell within the faid Islands or any of them and the coasts of or on the same or any part or parcell thereof as now are or at any time heretofore have been had ufed

used or enjoyed or of right ought to be or to have been had used or enjoyed by the now or any former Bishop of Duresme within the Bishop-rick of Duresme or the County Palatine of Duresme within Our Realme of England or that Wee or any of Our Progenitors have heretofore granted or mentioned to be granted unto the now or late Company of Virginia or to the Governor & Company of Adventurers of the Citty of Westminster for plantation of the Isle of Providence Henrietta and the adjacent Islands lying on the coast of America or to any other Company body politicque or corporate or to our right trusty and welbeloved Cecill Calvert Baron of Baltimore within our Realme of Jreland or any other Aventurer or Adventurers planter or planters of the Somer Islands Amazones or of any discoveries plantations or traficques of in or into any forreigne parts whatsoever and in as large and ample manner as if the same had herein been particularly mentioned and expressed although the same require otherwise

more especiall words clauses & expressions And Wee doe for Us our Heyres and Successors by these presents make create and constitute him the said Captain Iohn Mason and his Heyres The true and absolute Lords and proprietors of the said portions or Tracts of Lands

3

The King makes the patentee absolute Lord of the province

Islands and premises (except before excepted) Saving allwayes the ffaith and Allegiance and the Dominion directly due to Us our Heyres and Successors To have hold possess and enjoy The Habenthe aforesaid parts purports and portions of Lands Islands and Islets and all and Singular other the premises and also the reversion and reversions remainder and remainders thereof and of every part and parcell thereof dependant or expectant as aforesaid unto the faid Captain Iohn Mason his heyres and assignes To the onely and proper Use and behoof of him the said Captain Iohn Mason his heyres and affignes for ever To be holden of Us our Heyres and Successors Kings of England as of Our Castle of Windsor in our County of Berks in ffree and Common Soccage by fealty onely for all manner of Services and not in Capite nor by Knights Service And also paying to Us our Heyres and Successors one Quarter of wheate after

after the measure in England called Winchester measure yearly upon the ffeast day of Sainct Michaell The Archangell to the hands of the officer or officers there in the parts of New England appointed for the receipt thereof And also the ffifth part of all the Oare of Gold and Silver which shall happen yearly to be found gotten or obtained within the limits of the premises And that the severall parts and portions of lands & Islands foe described as aforesaid may be graced and dignified with Titles fitting Know yee that of our more ample Grace certain knowledge and mere motion Wee have caused the said Severall portions and tracts of lands and also the said Islands to be reduced into a Province And that out of the fullness of our power and prerogative for Us our heyres and Successors Wee doe erect create and incorporate the same into a Province and doe hereby name both the faid tracts of Land upon the Main and the faid Islands by The Name of the Generall name of the Province of New Hampshire the province/ and doe also hereby name the said parcell of Land containing Tenn Thousand Acres by the particular name of Masonia within the province of Newhampshire and soe to be called reputed and taken for ever hereafter And that all the faid Severall parcels of Lands Islands and Islets shalbe reputed and taken as parts parcels or member of the faid province of Newhampshire aforesaid ffurther-

The Lord of the prov hath Lawes with confent of the ffreeholders

more know yee therefore That for Us our Heyres and Successors Wee doe give and grant full power by the tenor power to make of these presents unto the said Captain Iohn Mason (of whose ffaith wisedome justice and provident circumspection Wee are very confident) and to his heyres for the good and happy government of the faid province of

Newhampshire to make what Lawes soever either pertaining to the publick state of the said province or to the private profitt of all the Inhabitants thereof according to his or their found discretions by and with the consent and approbation of the ffreeholders of the same province or the major part of them or of their Legats or Deputies who Our will and pleasure is shalbe called together by the said Captain Iohn Mason and his Heyres or his or their Deputy or Deputies

for

for the making of the faid Lawes when and as often as need shall require and in the forme which to him and them shall feem best And to publish or proclaim the same under the Seal of the said Captain Iohn Mason and his Heyres under the Seal of the faid Captain Iohn Mason and his Heyres under the Seal of the Lord of the province/

full power and authority duly to Execute the same upon

all men within the faid province and the limits of the fame for the time being or under his or their Regiment and power either failing towards it from England or from it towards England or to or from any other our Dominions or the Dominions of any Strangers what-foever by imposition of mulc'ts imprisonment or any other coercion And if need be and that the quality of the offence require it by deprivation of life or member by him the aforesaid Captain Iohn Mason and his Heyres or by his or their Deputies Leiutenants and Iudges Justices Magistrates Officers and Ministers according to the true intent and meaning of these presents to be appointed and Power to apmade And also power and authority to constitute appoint point Iudges and ordain by Sea and Land any Iudges Iustices Magis-

trates and officers whatfoever and for what cause soever and with whatfoever power and in the forme which to the aforesaid Captain Iohn Mason or his Heyres shall Seem best and to remitt release pardon and abolish any crime or offences whatsoever committed within the limits of the said province either before Iudgement given or after Iudgement received and to doe all other things pertaining to or which shall or may concerne the accomplishment or execution of Iustice And also power to make and appoint Courts prætorian and tribunal and the formes of Iudgements and manner of proceedings therunto belonging although of them in these presents there be no express mention And also power to proceed upon hold and determine pleas in those Courts pretorian and tribunal in any actions Suites causes and matters whatsoever aswell criminall as civill personal real

and mixt and pretorian by the Iudges by them to be chosen Which lawes soe as aforesaid to be published or proclaimed Our will and

pleasure is and Wee doe Enjoine charge and command that in the most

most absolute fforme of Law that may be indeavoured the same may be kept and inviolably observed in those parts of all men Our Subjects and leige people and the Subjects and Leige people of Our heyres and Successors as farre forth as they shall concerne them And that also under the paines in the same expressed and to be expressed Soe as that the foresaid Lawes be consonant to reason and not

repugnant or contrary (but as farr forth as conveniently The Lawes may) be agreable to the Lawes Statuts Customes and Ormust be agreedinances of this Our Realme of England And because in able to the Lawes of Eng- the Government of foe great a province Suddain chances land / and occasions may happen unto which there wilbe a necessity of applying remedy before the ffreeholders of the faid province or their legates or Deputies can be called together to the making of Lawes Neither will it be fitting continually in like cases arising to call together foe much people Therefore for the better Government of the faid province Wee will and ordain by these presents for Us our heyres and Successors Wee doe grant unto the foresaid Captain John Mason and his heyres That he the said Now Captain Iohn Mason and his Heyres by himself or by his or their Magistrates and officers in that behalf duly as aforesaid to be appointed shall and may make ordain and conflitute ordinances fitting and wholfome from time to time within the faid province to be kept and observed aswell for the preservation of the peace as for the better Government of the people there abiding and shall publickly notify the same unto all persons whom it doth or may any wayes concerne Which ordinances within the faid province Our will is shalbe inviolably observed under the pains therin expressed Soe as the same ordinances be agreable unto reason and not repugnant or contrary but (as far forth as conveniently they may) be agreable to the Lawes Statuts and Ordinances of our Realme of England and foe as the same ordinances extend not themfelves unto the right and interest of any person or persons for or in his life member or freehold goods or chattels to be diffrained constrained restrained bound charged or taken away in any man-

ner And Wee are graciously pleased and for Us our Heyres and

Succeffors

Successors Wee doe publish and declare grant and agree to and with the faid Captain Iohn Mason and his Heyres for all times hereafter and for all causes That Wee our heyres and Successors will not make ordain nor appoint or otherwise (then as aforesaid) suffer or affent unto any Lawes or ordinances to be made ordained or appointed within or for the faid province of Newhampshire nor suffer any Generall Governor by Us to be constituted to doe any Act by colour of any Commission to him granted or to have any power or authority thereby to doe anything which shall extend unto the right or interest of any person or persons within the said province for or in his or their life or lifes member or members lands or tenements goods or chattels whatfoever to be diffrained conftrained The power of restrained bound charged or taken away And also that the Generall the faid Governor from time to time to be constituted Governor over shall not have any power to extend his authority in any the province wife to hinder the due Execution of any the Lawes which shalbe made from time to time within the faid Province of Newhampshire according to the true intent and meaning of this Our present Charter And that all lawes or ordinances to be made contrary to the effect intent and true meaning of these presents shalbe void and shalbe holden for none Nevertheless our will and pleasure is that it shalbe lawfull by the tenor of these presents to and for all the people there abiding and inhabiting from time to time Liberty to all to apply themselves unto Such a Generall Governor as men to appeal from time to time shalbe constituted and sent over into to the Genu the parts of New England aforesaid for the government of the whole Country and Territory of New England aforesaid and the people there Who shall from time to time be chosen and appointed by Commission from Us Our heyres and Successors for that purpose And to appeale unto him in manner according unto or as neer as conveniently can be done to the order of proceedings in like cases within Our Realme of England for remedy (if there be cause) within flourty Dayes after any Judgement decree or fentence in any cause or causes given against them or any of them touching the matter

matter of any fuch ordinance or ordinances as by Us our hevres and Succeffors under our Great Seal of England from time to time hereafter shalbe appointed for the better preservation and conservation of the peace better fafety defence and Government of the faid Country and Territories of New England and the people there If before such Iudgement Decree or Sentence the same ordinances shall not be received made and become the Law or Lawes of or within the faid province of Newhampshire as well as other the lawes of the faid province and according to the manner of and for making of lawes there by Us herein appointed as aforesaid And that the said Governor shall have power by the tenor of these presents in manner according unto or as neer as conveniently may be done to the order of the proceedings in like cases within Our Realme of England by his final Iudgement Decree or Sentence to determine the matter (upon any Such appeal) according to Iustice and the true intent and meaning of fuch ordinances Moreover that the faid Licence for all province and the people that shall increase and have Pions to tranfport themselves recourse to the same may be made more happy and into the Pvifi. prousperous and may be the more secure and free from the invasion of the barbarous people and of other Enemies pirates robbers and Such as may threaten to make a prey of them hereafter Therefore for Us our heyres and Successors Wee doe give and grant by these presents licence and liberty unto all persons both Our Subjects and leige people for the present and the Subjects and leige people of our heyres and Successors in future time (except Such as shalbe Specially interdicted) to transport themselves and their families to the faid province with convenient ships and company fitting And to plant inhabitt fettle and continue there without any restraint or command to the contrary And also that no Ship nor marriner victuals ordnance artillery or habiliments of warr fett forth or imployed for any Such voyage or belonging to the faid province of Newhampshire or to any the inhabitants thereof shall not at any time hereafter be stayed either at Sea or in harbor unless it be for the necessary defence of Our Dominions only And Wee doe also grant unto

unto them licence to erect and build fforts Castles and ffortifications at the good liking of the faid Captain Iohn Mason To build fforts and his heyres and to furnish them at all points com- &c pleat for the publick defence and their owne The Statuts concerning flugitives or any other Statute to the contrary thereof in any wife notwithstanding And also Our will and pleasure is and of our more free grace for Us our heyres and Successors Wee doe firmly give in charge ordain and command That the faid province be in allegiance to Us and that all and Singular the leige The province people of Us our heyres and Successors drawne or to be to be in alledrawne into the faid province and the Children coming giance to the by descent from them or from others whether now borne All children or hereafter to be borne may be and shalbe free Deni- born therein zens and the leige people of Us our heyres and Succef- are free Denifens of Engfors of Our Kingdoms of England and Ireland and in land & Jreall things shalbe holden reputed and had as the faith- land. full liege people of Us our heyres and Successors originally Springing up within our Realme of England And also may injoy by discent purchase receive and take have hold buy and possess lands tenements revenues Services and other hereditaments whatfoever within our Realme of England and other Our Dominions of inheritance or otherwise and may use and injoy the Same And may give Sell alien and bequeath the Same And also shall have and possess all the liberties franchises and priviledges of this Our Realme of England quietly and peaceably and may use and Enjoy the fame as well as Our leige people born within Our Kingdome of England or taking their originall there without any impediment molestation vexation impeachment or greivance of Us our heyres or Successors whatsoever Any Statute act ordinance or provision to the contrary thereof Notwithstanding ffurthermore that our Subjects may be invited to this expedition with alacrity of mind Know yee that of our Special grace certain knowledge and mere motion Wee doe give and grant aswell to the said Captain Iohn Mason and his heyres as unto all others from time to time inhabiting

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or having Commerce with the Inhabitants of the faid province for the advancement of the profit of the faid province licence to carry all and fingular goods aswell moveable as immoveable horses Mares goates Swine affes and all other kinds of beafts and cattle and all wares marchandife and commodities of what kind foever and all other things whatfoever necessary for food or rayment or for manuring or tilling the Earth (By the Lawes and Statuts of o' Kingdoms and Dominions not prohibited) unto any our ports or the ports of our heyres and Successors and to putt aboard and load them into any Ships and to export and transport the Same into the Said province of Newhampshire by himself or his or their Servants and assignes To transport And also licence to export and transport any Armor all Sorts of Armes. ordance powder shott artillery or any other habiliments of warr defensive or offensive for the publick benefitt defence and fafety of the faid province and themselves without any impediment of Us our heyres and Successors or of any officer of ours or of our heyres and Successors Saving unto Us our heyres and Successors the impositions customes and other duties for the same things goods and Marchandise due and payable any Statute Act ordnance or other thing whatsoever to the contrary notwithstanding And because in fuch a remote Country feated amongst foe many barbarous Nations invalions may be feared aswell of those barbarous people as of other Enemies pirates and robbers Wee have likewise given and by these presents for Us our heyres and Successors Wee doe give power and authority unto the faid Captain Iohn Mason and unto his heyres and affignes by him or them or his or their Captains and other officers over all men of what condition Soever or from whencesoever derived being within the Limits of the faid province for the time being To call them to their Enfignes to Musters and to take To purfue Enemies by armes and encounter the Enemies or robbers infesting Sea and land/ those parts and if God give victory to putt to flight expell and chase them out of the said province and to pursue them by Sea and land beyound the Limits of the faid province and to take them or any of them And the Captives by the Iustice of Warr to put to death

or at their pleasure or for their service to preserve and keep And also by force of Armes to recover from any person or persons All such Lands Territories places Ships barques boates goods and chattels as shalbe taken from them or any of them Or in defect of such recovery to releive themselves upon the parties doing injury or to make any other of the same Nation or Nations by way of Reprisals reprifals and taking their ships and goods and men or otherwise as they shalbe able for recompence and Satisfaction of any Such loss and damage as they or any of them shall sustaine in any such case and to doe and performe all things which to the duty and office of Captain Generall of an Army doe belong or have been accustomed to appertain as fully and freely as any Captain General of an Army hath had Our will and pleasure is also and by this our present Charter Wee doe give power liberty and authority unto the faid Captain Iohn Mason and his heyres as in case of Re- Touse Martial bellion fuddain tumult or fedition if any (which God for- Law in case of bid) should happen to arise either upon the Land within Rebellion the faid province or upon the main Sea in the Voyage Sailing towards the faid province or from the faid province by him or them or his or their Captains Deputies or other officers under his or their Seals thereunto deputed unto whom also by the tenor of these presents Wee doe for Us our heyres and Successors give and grant most ample power and authority against all such insurrections and the seditious Authors thereof and against such as shall withdraw themselves from his or their Government raising warr Traytors sugitives Vagabonds or any of them being Delinquents contrary to the order custome and disciplin of warr That they may be handled and dealt with according to the Law of Armes as freely and in as ample manner and forme as any Captain General of an Army by virtue of his office may use the fame or hath been accustomed to doe ffurthermore least unto men honestly born and applying themselves to the present To conferre expedition and well deferving at our hands and of our Titles of Kingdoms both in peace and warr The way to honor honour and renowne might feem difficult and hard to find in foe remote and farr

farr distant a Country Therefore for Us our heyres and Successors Wee doe give liberall and full power unto the aforefaid Captain Iohn Mason and his heyres to conferre favours and honours upon well deferving Cittizens and persons inhabiting within the said province And to dignify them with any titles and Dignities whatfoever (foe they be fuch as in England now are in use) according to his or their pleasure And also liberall and full power to create vil-To create lages into Burroughs and Burroughs into Citties and to Citties and Burroughs constitute and appoint such and soe many ffaires and Markets in them or any of them for the more conveniency of the Inhabitants and their continuance in those places and for the better fetling and incorporating them with meet privileges and immunities and to doe all and Singular fuch other things whatfoever concerning the premises as to him or them shall seem to be most meet and convenient although they shalbe be such as of their owne nature doe require a more especial Commission or Warrant then in these presents is Expressed Our will and pleasure is also and by these presents for Us our heyres and Successors Wee doe give and grant unto the foresaid Captain Iohn Mason his heyres and assignes and unto all the Dwellers and Inhabitants of the faid province of Newhampshire whatfoever both for the present and future times Licence by this Our Royall Charter to export and bring all manner of wares and marchandise whatsoever of the fruites and Commodities out of the said province either Land Commodities or Sea Commodities by him or them his or their fervants ffactors or assignes unto any the ports of Us our heyres or Successors both of England and Ireland and freely to import and bring in and to unloade or otherwise dispose of the same and if need be to take and loade againe in the Same Ships or in any other the same wares within one years continuance after the unloading thereof and shalbe able to export and deporte them into what Countries they please either ours or fforreigne in amity with Us our heyres and Successors freed and discharged by the Tenor of these presents of and from the payment of any Customes Subsidies taxes or duties other then the payment of ffive pounds p Centum only accord-

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ing to the ancient trade of Marchandise heretofore used for wares marchandife and commodities due & payable unto Us our heyres and Succeffors And our will and pleafure is and for Us our heyres & Succeffors by the tenor of these presents Wee doe publish and declare that for and upon the paym' of the faid ffive pounds p Centum Wee doe freely exonerate acquitt and discharge the same Wares goods and Marchandise soe to be imported transported or exported as aforefaid And Wee doe hereby Streightly charge and command our Lord Treasurer under Treasurer or any Commissioners for our Treasury the Barons of our Exchecquer and all other our officers Customers and Ministers for ever hereafter upon the veiw of this Our Royall Charter or the Involment thereof to Exonerate and acquitt the fame according to the Tenor of this our Royall Grant beyound which Wee will not greive the inhabitants of the faid province of Newhampshire nor any of them And furthermore of our more especial Grace certain knowledge and mere motion for Us our heyres and Successors Wee doe grant unto the said Captain Iohn Mason his heyres and affignes full and abfolute power and authority to make erect and constitute within the province & kayes for aforefaid fuch and foe many Sea ports keys for shipping creeks and other places of lading or unlading and laying downe or landing of goods and Marchandise out of Ships boates and other vessels and to loade in the same and in such and soe many places and with fuch rights of Iurisdictions liberties and privileges to the fame ports belonging as unto him or them shall seem most expedient and that all and Singular Ships boates and other vessels whatsoever by reason of trafick or marchandising going and coming to and from the faid province shalbe laden and unladen at those ports soe by the faid Captain Iohn Mason his heyres and assignes to be erected and appointed as aforesaid and not elsewhere any use custome or any other thing to the contrary thereof Notwithstanding Moreover our will is and Wee doe appoint and ordaine and by these presents for Us our heyres and Successors Wee doe grant unto the aforesaid Captain Iohn Mason his heyres & assignes from time to time for ever

To

To have and enjoy all fuch Tolls and Subfidies in the ports and keys for Shipping and all other Creeks and places afore-Tolls & faid within the province aforefaid payable and arifing Subfidies to the Lord of for the marchandise and goods there to be loaden and the province unloaden as by the faid Captain Iohn Mason and his hevres within the faid province from time to time as cause or occafion shall require shalbe reasonably affessed in that behalf unto whome by these presents for Us our heyres and Suc-To affeis Taxes cessors Wee doe give power for any just cause by due and Subfidies / proportion to affess and tax Tolls and Subsidies there as aforefaid And furthermore of our Special grace certain knowledge and mere motion Wee have given granted and confirmed and by these presents for Us our heyres and Successors Wee doe give grant and confirme unto the foresaid Captain Iohn Mason his heires and affignes full and absolute licence power and authority That the aforefaid Captain Iohn Mason his heyres and affignes from time to time for ever hereafter at his and their free will and pleafure shall or may affigne alien grant dimife or Enfeoffe foe many Such and foe great parts or parcels of the premises to any person or persons willing to purchase the same as he they or any of them shall find convenient To have and to hold to fuch person and persons as shalbe willing to take or purchase the same to them and their heyres and assignes in ffee simple ffee tayle or for terme of life or lifes or for yeares To be holden of the faid Captain Iohn Mason his heyres and Assignes by Such and Soe many and foe great Services customes and Rents as unto him the faid Captain Iohn Mason his heyres and assignes shall feem good and pleasing and immediately of Us our heyres and Succeffors And unto the same person and persons and to every of them Wee doe give and for Us our heyres and Successors Wee doe grant

premises or any part or parcell thereof of the abovesaid Captain To grant efficiency. In Mason his heyres and affignes may receive and takes & a contake and may hold to him and his affignes or to his firmation / heyres of any estate of inheritance in see simple or see

Licence and authority and power That such person and persons the

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tayle or otherwise as unto them and the now Captain Iohn Mason his heyres and affignes shall seem expedient The Statute made in the parliament of King Edward the Sonn of King Henry late King of England Our progenitor commonly called the Statute of Quia Emptores terrarum in our Realme of England in times past made or any other Statute Act ordinance use law or custome or any thing clause or matter to the contrary thereof heretofore had made ordained or provided in any wife notwithstanding And unto the faid Captain Iohn Mason and his heyres Wee doe for Us our heyres and Successors grant licence by these presents to create into Mannors any particular lands within the faid province and in every Severall Mannor to have and hold Severall Courts To erect Courts Baron and to doe and performe all things which to a Baron Court Baron belongeth And also to have veiw of ffrank pledges for the conservation of the peace and the better government in those parts by him or them or his or their Stewards When those Mannors shalbe constituted being Lord or Lords of those Mannors for the time being and to have and use all things which to the veiw of ffrank pledges doe belong or appertain And furthermore our will is and by these presents for Us our heyres and Successors Wee doe covenant grant and agree to and with the aforesaid Captain Iohn Mason his heyres and affignes That if he or they shall at any time hereafter upon any doubt which he or they shall conceive concerning the Strength of this Our present Grant be desirous to renew the same from Us our heyres and Successors with amendment of Such imperfections and Defects as shall appeare fitt and necessary to be performed and amended by Us our heyres & Successors That then upon the humble petition of the faid Captain enants to make Iohn Mason and his heyres Such further and better assur- better assurance of all and Singular the faid tracts and portions of ance if defired Lands Jslands and premises and of all and Singular other the privileges herein mentioned to be granted shall from time to time by Us our heyres and Successors according to the true intent of these Our

Letters

Letters patents be granted unto the faid Captain Iohn Mason his heyres and affignes as by Our Attorney Generall or Sollicitor Generall of Us our heyres and Successors for the time being and the learned Counfell of the faid Captain Iohn Mason his heyres & assignes shalbe reasonably devised or advised And furthermore our will and pleasure is and by these presents for Us our heyres and Successors Wee doe covenant and grant to and with the foresaid Captain Iohn Mason his heyres and assignes That wee our heyres and Successors will not impose at any time hereafter any impositions or customs or other taxations how Small Soever or any other contributions whatfoever nor doe nor cause to be imposed in or upon the dwellers or inhabitants of the forefaid province of Newhampshire for their goods lands or Tenements within the same province or upon any Lands Tenements goods or chattles within the faid province or in or upon any the goods or marchandife within the faid province or within any of the ports or Ships Keys of the faid province to be laden or unladen And that this our Declaration in all Courts Judgement Seats and before any the Iudges of Us our heyres and Successors shalbe sufficient for the Exemption ffreedom and acquitting thereof from time to time to be received or allowed And Our pleasure is and for Us our heyres and Successors Wee doe will and command giving in charge unto all and Singular officers and Ministers of Us our heyres and Successors

None to attempt anything against the tenor of this Chart

injoining them on pain of our high displeasure That they doe not prefume to attempt any thing to the contrary of the premises at any time or goe against the same by any means but shalbe aiding and affisting unto the said Captain Iohn Mason and his heyres and to the aforesaid in-

habitants of the faid province called the province of Newhampshire or of any part or parcell thereof and the Marchants aforesaid their Servants ministers factors and assignes in the fullest use and fruition of this our Charter and the benefitt thereof att all times as it becometh them And our will is also and for Us our heyres and Successors Wee doe declare and ordaine That the faid province of Newhampshire **fhalbe**

shalbe immediately Subject to our Crowne of England and dependant upon the Same for ever And if it shall happen that The province any doubt or questions shall hereafter arise about the true is ordained to fense and meaning of any word clause or Sentence in this tion to the our present Charter contained Our will is and Wee doe Crowne of charge and command that in all interpretations to be England/ made thereof in all Our Courts & Judgement Seates the Same shalbe taken and adjudged most beneficiall and favourable unto and for the Said Captain Iohn Mason his heyres and assignes provided alwayes that noe interpretation be made whereby the Sacred word of God and true Christian Religion or the Allegiance due to Us our heyres and Successors may receive or suffer any prejudice diminution or difgrace And lastly Our will and pleasure is and by these presents Wee doe publish and declare and for Us our heyres and Successors Wee doe grant and agree to and with the faid Captain Iohn Mason his hevres and affignes That thefe our Letters patents and all and Singular grants Clauses and things therein contained shalbe and continue firme Strong and effectual in Law and shalbe construed reputed and taken aswell to the intent and meaning as to the words of the Same most gracious and favourable and to the benefitt of the said Captain Iohn Mason his heyres and assignes any omission misinformation or defects in these presents or any Lawes Statuts or other clauses or matters to the contrary Notwithstanding and although express mention be not made of any guifts or Grants by Us or any of our progenitors or predecessors to the foresaid Captaine Iohn Mason his heyres and affignes heretofore made And Notwithstanding the mifreciting or not rightly and truly reciting of any Letters patents Grant or Grants heretofore made of the premises or of any part thereof or of any particular thing therein contained or Notwithstanding any misnaming or not nameing of any the said Lands Island or Islands or any of them or the places degrees or coasts wherein or whereupon they be or any Statute act ordinance provision proclamation or restraint to the contrary thereof heretofore had made ordained or provided or any matters clause or thing whatsoever to the contrary

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in any wife Notwithstanding In Witness &c Witness Our Self at Westminster the Nineteenth Day of August 1635 and in the Eleaventh year of Our Reign/.

This is a true Copie examin'd & attested by RIC: CHAMBERLAIN Secretary of y° Province of New-Hampshire & Clerk of His Main Councell there.

II. LEASE FROM THE COUNCIL OF NEW ENGLAND TO WOLLASTON.

APRIL 18, 1635.

In the Records of the Council for New England, printed in the Proceedings of the American Antiquarian Society for April, 1867, appended to the record of the meeting, February 3, 1634-5, are three memoranda, the last two of which are:—

Memorand, the 18th day of Aprill following Leases for 3000 years were made of the feveral divisions to severall plons intrusted for their benefitts.

Memorand. the 22 day of Aprill several deeds of feofment were made unto the feveral proprietors of their feverall parts fo to them alloted by the Divisions aforesaid.855

The "deed of feofment" to Capt. John Mason for his division was taken by him on the 22d of April, the date given in the memorandum. On the fame day an indenture of

255 Proceedings of the American Antiquarian Society, April, 1867, p. 118.

of bargain and fale was iffued to him. Both instruments are printed in this volume.866 The lease for three thousand years named in the previous memorandum had been iffued for Mason's division four days before, on the day specified, April 18, 1635, to John Wollaston, afterwards Sir John Wollaston, a brother-in-law of Capt. Mason. Having been taken in trust for the benefit of Mason, the property was conveyed to him by Wollaston, June 11, 1635. Copies of these two deeds are found in the manuscript volume loaned to Mr. Sargent. I have not heard of other copies in this country.867 Mr. Sargent has had the kindness to transcribe them for me, and they are here printed from his manuscript. The proofs of the two deeds having been shown to Abner C. Goodell, Jr., A.M., he has furnished me the following remarks upon the deeds:-

The motive which induced the Council of Plymouth to demife for a long term the territory apportioned under the vote of February 3. 1634-5, is not clearly apparent. It may have been thought a wife precaution thus to convey to perfons who should appear, in the deeds, not to be members of the Corporation, and interested as lessors in any degree, however remote; or it may have been the intention of all parties that the leffees should take immediate actual possession of the leased territory, - fince until actual seisin were had the leases would be of no effect, and would be wholly avoided by the act of furrender. The deeds of conveyance from the Council to Mason were not made until April 22, four days subsequent to the date of the lease.

Nothing

by him, Vol. I. (1860), pp. 202 and 209. Mr. Tuttle, who saw these abstracts, preserved in the British State Paper requested Col. Chester to examine the Office, and brief abstracts were printed documents themselves. He did so, and by Mr. W. Noël Sainsbury in the Cal- in his letter, April 29, 1871, to Mr. Tuttle,

asi Copies of both inftruments are endar of State Papers, Colonial, edited reported to him their purport.

Nothing appears on the face of the indenture to Wollaston to indicate that he took the lease in trust for his brother-in-law Mason, though the express declaration of that fact in the indenture of affignment from Wollaston to Mason is corroborated by the memorandum in the Records of the Council, that the leases were to be made "to several persons in trust for their [i.e., the proprietors of the several parcels in the general division] benefitts." It is to be observed that whatever rights of possession Wollaston secured under his lease, his assignment to Mason was not made until June 11, 1635, or four days after the surrender to the Crown was completed, and when it was too late for an original effectual entry upon the demised premises.

The lease for three thousand years is as follows: —

This Indenture made the Eighteenth day of Aprill in the Eleaventh year of the Reigne of Our Sovereign Lord Charles by the Grace of God King of England Scotland ffrance and Ireland Defender of the ffaith &c. Between the Councill established at Plimouth in the County of Devon for the planting ruling ordering and governing of New England in America of the One part and Iohn Woollaston Cittizen and Goldsmith of London of the other part Witneffeth That whereas Our late Sovereign Lord King Iames of bleffed memory by his Highness Letters Patents under the Great Seal of England bearing date at Westminster the Third day of November in the Eighteenth year of his Highness Reign over the Realm of England for the confiderations in the faid Letters patents Expressed, hath absolutely Given Granted and confirmed unto the faid Councill and their Successors for ever All the Land of New England in America lying and being in Breadth from flourty Degrees of Northerly Latitude from the Equinoctial Line to fourty Eight Degrees of the faid Northerly Latitude inclusively and in Length of and within all the Breadth aforesaid from Sea to Sea Together also with all the firm Lands Soyls Grounds Havons ports Rivers Waters ffishings Mines Mineralls as well Royall Mines of Gold and

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and Silver as other Mines and Minerals Precious Stones Quarries and all and Singular other Commodities Iurifdictions Royalties Privileges ffranchifes and Preheminences both within the faid Tract of Land upon the Main and also within the Islands adjoining as by the faid Letters patents amongst diverse other things therin contained more att large it doth and may appear Now this Indenture ffurther wittneffeth That the faid Councill in performance of an agreement by and between them made and Enacted the third day of ffebruary last past before the date of these Presents and also for diverse other good causes and confiderations them the said Councill hereunto especially moving, Have demised granted and to ffarm letten And by these Presents doe demise grant and to ffarm lett unto the said Iohn Woollaston his Executors and Assignes All that part purpart and portion of the Main Land in New England aforefaid begining from the Middle part of Naumkeck River and from thence to proceed Eastwards along the Seacoast to Cape Anne and round about the same to pascataway Harbour and soe forwards up within the River of Newichewanock and to the furthest head of the said River and from thence Northwestard till Sixty miles be finished from the ffirst Entrance of Pascataway Harbour And also from Naumkeck through the River therof up into the Land West Sixty miles ffrom which period to cross overland to the Sixty miles End accompted from Pascataway through Newichewanock River to the Land Northwestward aforefaid. And also all that the South half of the Isles of Shoals Together with all other Islands and Islets aswell imbayed as within ffive Leagues distance from the premises or abutting upon the fame or any part therof not otherwise granted to any by Speciall name And together also with all the Woods Underwoods and Trees now standing growing and being or which shall or may Stand grow or be upon the faid demifed premifes or any part or parcell therof which portion of Land and premifes are from henceforth to be called by the Name of Newhampshire. And also the said Councill for the Confiderations aforesaid have demised granted and to ffarm letten and by these presents doe demise Grant and to ffarm lett unto the said Iohn

Iohn Woollaston his Executors and Assignes All that other parcell of Land Woods and Woodgrounds lying on the South East part of the River of Sagadahock in the Northeast part of New England aforesaid att the mouth or the Entrance therof containing and to contain Tenn Thousand Acres together also with all the Woods Underwoods and Trees of the fame which other parcell of Land and Woodground shall from henceforth be called by the Name of Masonia And also the said Councill for the confiderations aforefaid have demifed granted and to ffarme letten And by these presents doe demise Grant and to ffarm lett unto the faid Iohn Wollaston his Executors & Assignes together with the faid Lands Islands and premises All the Soyles Grounds Havons Ports Rivers waters ffishings Mines and Mineralls aswell Royall Mines of Gold and Silver as other Mines and Minerals precious Stones Quarreys and all and Singular other Commodities Jurisdictions Royalties Privileges ffranchises and preheminences both within the said Tracts of Land upon the Main and also within the said Islands or any the faid demised premises. And together also with all Rents reserved upon the premifes or any part or parcell therof Perquifits and profits of Courts Deodands Waives and Straies Goods of ffelons and ffugitives Escheats and all other casuall profits whatsoever arising or which may hereafter arise out of the said demised premises or out of any part or parcell therof Saving Excepting and referving only out of this present Demise or Grant The flifth part of all the Gold and Silver Oare due to his Majesty his Heyres and Successors and in and by the faid recited Letters patents reserved To have hold and Enjoy all and Singular the faid Lands Islands and all other the faid demised premises with their and every of their appurtenances unto the said John Wollaston his Executors and Assignes from the day of the date hereof unto the full end and Terme of Three Thousand years from thenceforth next and immediately Ensuing and fully to be compleate and Ended without impeachment of any manner of Wast and also with full power to doe and committ all manner of Wast either in the felling felling or cutting of any Timber Trees Woods and Underwoods or in the new opening or digging of any Mines of Gold and Silver

Silver or other Mines whatfoever And also with full power licence and authority to Sell fell cutt downe carry away and dispose off to his and their owne proper use and behoof att his and their free will and pleafure all and Singular the faid Woods Underwoods and Trees and also to digg and carry away or otherwise dispose of all or any the Soile Mines precious Stones & Quarries and to convert and imploy or otherwise Enjoy the Same as fully freely and in as large ample and beneficial manner to all intents and purposes as they the said Councill or any of them by virtue of the faid recited Letters patents may might or ought to have hold and Enjoy the fame yeelding and paying therefore yearly during the faid Terme One pepper Corne if it be lawfully demanded In Wittness whereof to the One part of this present Indenture remaining in the hands of the said Ionn Wollaston they the said Councill have fixed their Common Seal To the other part of this present Indenture remaining in the hands of the faid Councill the faid Iohn Wollaston hath Sett his hand and Seal dated the day and year ffirst above written Annog. Dom. 1635 —

This is a true Coppy and Examined by the originall Deed/

Ric: Chamberlayn

Jos: Rayne

III. DEED OF WOLLASTON TO MASON.

June 11, 1635.

This Indenture made the Eleaventh Day of Iune in the Eleaventh year of the Reign of Our Sovereign Lord Charles by the Grace of God King of England Scotland ffrance and Ireland Defender of the ffaith &c. Between Iohn Wollaston Cityzen and Goldsmith of London of the One part and Captain Iohn Mason Esq of the other part Witnesseth That whereas the Councill of New England by their Indenture

Indenture under their Common Seal bearing date the Eighteenth day of Aprill last past before the date hereof made between the said Councill by the name of the Councill established at Plimouth in the County of Devon for the planting ordering ruling and governing of New England in America of the One part and the faid Iohn Wollaston by the Name of Iohn Wollaston Cityzen and Goldsmith of London of the other part ffor the confiderations in the same Indenture contained have demifed granted and to farm letten unto the faid Iohn Wollaston his Executors and Assignes All that part purpart and portion of the Main land of New England aforefaid begining from the midle part of Naumkeck River and from thence to proceed Eastwards along the Sea coast to Cape Ann and round about the same to Pascataway Harbour and soe forwards up within the River of Newichewanock and to the farthest head of the said River and from thence Northwestwards till Sixty miles be finished from the ffirst Entrance of Pascataway Harbour and also from Naumkeck through the River therof up into the Land West Sixty miles from which period to cross over land to the Sixty miles end accounted from Pascataway through Newichewanock River to the Land Northwestwards aforefaid And also All that South half of the Isles of Shoals together with all other Jslands and Jslets as well imbayed as within ffive Leagues distance from the premises and abutting upon the same or any part or parcell therof not otherwise granted to any by Speciall name And together also with all woods underwoods and trees now flanding growing and being or which hereafter shall or may stand grow or be in and upon the faid portion of Lands and other the premises All which part and portion of Lands Jslands and premises are fro thenceforth to be called by the Name of Newhampshire And whereas also the faid Councill for the confiderations aforesaid have demised granted and to farm letten unto the said Iohn Wollaston his Executors and Affignes All that other parcell or portion of Lands woods and woodgrounds lying on the Southeast part of the River of Sagadahock in New England aforefaid at the mouth or Entrance thereof containing and to contain there Tenn Thousand Acres together

gether also with all the woods underwoods and Trees of the same which faid other parcell of Lands from thenceforth is to be called by the Name of Masonia And whereas moreover the said Councill for the confiderations aforefaid have demifed granted and to farm letten unto the faid John Wollaston his Executors and Assignes together with the faid Lands Islands and premises All the Soiles Grounds Havens Ports Rivers Waters ffishings Mines and Mineralls aswell Royall Mines of Gold and Silver as other Mines and Minerals Precious Stones Quarries and all and fingular other Commodities Jurifdictions Royalties Privileges ffranchifes and Preheminences both within the faid Tracts of Land upon the Main and also within the faid Islands or any the said demised premises And also all Rents referved upon the premises or any part or parcell therof Perquisits and Profits of Courts Deodands Waives and Straies Goods of ffelons and ffugitives Escheats and all other casuall profits whatsoever arifing or which may hereafter arife out of the faid demifed premifes or out of any part or parcell therof under fuch Refervations as in the faid Lease are Excepted and Reserved To have and to hold and Enjoy all and fingular the faid Lands Islands and all other the faid demifed premifes with their and every of their Appurtenances unto the faid Iohn Wollaston his Executors and Assignes from the day of the date of the faid Indenture of Demise unto the full end and Term of Three Thousand years from thenceforth next and immediately ensuing and fully to be compleate and ended without impeachment of any manner of wast for and under the yearly Rent of one pepper Corn payable if it be lawfully demanded as in and by the faid Indenture of Demife more at large it doth and may appear Which faid Indenture of Demise was made unto the said Iohn Wollaston by and with the confent of the faid Captain Iohn Mason in trust only for the benefitt and behoof of him the faid Captain Iohn Mason his Executors and Assignes Now therefore this Indenture further Witnesseth That the faid John Wollaston in performance of the Trust in him reposed and also for diverse other good causes and considerations him hereunto especially moving hath granted assigned sett over and confirmed 49 and

and by these presents doth grant assigne sett over and confirme unto the faid Captain Iohn Mason his Executors and Assignes All that the faid part purpart and portion of Lands called Newhampshire and all and fingular other the faid demifed premifes with their and every of their appurtenances in the faid Indenture contained Together with the faid recited Indenture of Demise and all the Right Title interest terme of years claim and demand of him the faid John Wollaston of in and to the same or any part or parcell therof and all the benefitt profitt advantage and commodity whatfoever which shall or may be had by the fame To have hold and Enjoy the faid part purpart and portion of Lands called Newhampshire and all and singular other the faid premises with their and every of their appurtenances and also all the right title and interest of the said John Wollaston of in and to the fame or any part or parcell therof unto the faid Captain John Mason his Executors and Assignes from the Day of the Date of these presents for and during all the refidue of the Term of Three Thousand years yet to come and unexpired in the same ffor and under the Refervations of Rents in the faid recited Indenture contained as fully freely and is as large ample and beneficiall manner and form to all intents and purposes whatsoever as he the said John Wollaston his Executors and Affignes or any of them may might or ought to have hold and Enjoy the same by virtue of the recited Indenture of Demife or otherwife In Wittness whereof the said parties to these present Indentures interchangeably have fett their hands and Seals the Day and year first above written/

IV. DEED

IV. DEED FROM GORGES TO MASON.

SEPTEMBER 17, 1635.

In the Statement of Allen's Title, 1728, p. 3, an abstract of this deed is printed. A full copy is found in Mr. Sargent's manuscript volume. I know of no other copy. Mr. Sargent has printed it in his Introduction to the second volume of "York Deeds," and by his permission I reprint it below.

This Indenture made the Seaventeenth day of September Anno Dom 1635 and in the Eleaventh yeare of the Reigne of Our Sovereigne Lord Charles by the Grace of God King of England Scotland ffrance and Ireland Defender of the ffaith &c Between Sir fferdinando Gorges of London knight on the One part and Captain Iohn Mason of London Esquire on the other part Wittnesseth That whereas our late Sovereign Lord King Iames of Bleffed memory by his highness Letters patents under the Great Seal of England bearing date at Westminster the Third day of November in the Eighteenth Yeare of his highness reigne over the Realme of England ffor the considerations in the same Letters patents expressed hath absolutely given granted and confirmed unto the Councill established at Plimouth in the County of Devon ffor the planting ruling ordering and governing of New England in America and to their Successors and assignes for ever All the Land of New England aforefaid lying and being in breadth from flourty Degrees to flourty Eight Degrees Northerly Latitude inclusively Together with all ffirm lands Soyles grounds havons ports rivers waters ffishings hunting hawking ffowling and all mines and minerals aswell Royall mines of Gold and Silver as other mines & minerals and all and Singular other commodities Jurisdictions Royalties

Royalties priviledges and preheminences as by the faid Letters patents amongst diverse other things therein contained more at large it doth and may appeare And whereas the faid Councill by their Indenture under their Common Seal bearing date the Two and Twentieth day of Aprill last past before the date hierof made between the faid Councill by the name of the Councill established at plimouth in the County of Devon ffor the planting ruling ordering and governing of New England in America of the One part and the faid Sir fferdinando Gorges of London knight on the other part ffor the confiderations in the Same Indenture contained have given granted aliened bargained fold Enfeoffed and confirmed unto the faid Sir fferdinando Gorges his heyres and affignes for ever All that part purpart or portion of the main land of New England aforefaid begining at the Entrance of pascataway harbour and soe to pass up the same into the river of Newichewanock and through the same unto the ffurthest head thereof and from thence Northwestwards till Sixty miles be finished And from pascataway harbour aforesaid Northeastwards along the Sea coast to Sagadahock and up the river thereof to the river of Kenebeck and through the Same unto the head thereof and foe up into the land Northwestwards untill Sixty miles be finished ffrom the mouth or Entrance of Sagadahock ffrom which period to cross over land to the Sixty miles End formerly accompted up into the Land ffrom pascataway harbour through Newichewanock River (which amongst other Lands are granted unto the said Sir fferdinando Gorges) Together with all mines and minerals aswell royall mines of Gold and Silver as other mines and minerals precious Stones Woods marishes rivers waters ffishings hawking hunting and ffowling and all other Royalties Jurisdictions privileges preheminences profits and commodities whatfoever with all and Singular their appurtenances with all other privileges liberties and immunities which shall or may arise within the said Limits and precincts aforesaid as by the Said Indenture more at large it doth appeare Now therefore this Indenture ffurther Wittnesseth That the Said Sir fferdinando Gorges

for

for diverse good causes and confiderations him hereunto especially moving hath granted aliened bargained Sold enfeoffed and confirmed and by these presents doth grant alien bargain Sell Enfeoffe and confirme unto the Said Captain Iohn Mason his heyres and affignes All that part or portion of land begining at the Entrance of Newichewanock river and Soe upwards alongst the Said river and to the ffurthest head thereof and to containe in breadth through all the length aforefaid Three miles within the land from every part of the faid River and half way over the faid river Together with all and Singular harbours creekes marishes woods rivers waters lakes mines and minerals aswell royal mines of Gold & Silver as other mines and minerals precious Stones ffishings hawking and ffowling and all other royalties Turifdictions privileges preheminences profits commodities and hereditaments whatfoever with all and Singular their and every of their appurtenances with all other privileges liberties immunities escheats and casualties thereof which shall or may arise within the Limits and precincts aforefaid To be holden of his Majesty his heyres and Succesfors as of his highness Mannor of East Greenwich in the County of Kent in ffree and Common Soccage and not in Capite or by knights Service yeelding and paying to his Majesty his heyres and Successors the ffifth part of the Oare of Gold and Silver that from time to time and at all times hereafter shalbe there gotten had and obtained ffor all fervices duties and demands as in and by the faid recited Letters patents are referved To have and to hold all the faid part or portion of Land and all other the faid bargained premifes with their and every of their appurtenances unto the faid Captain Iohn Mason his heyres and assignes To the onely and proper use and behoof of him the faid Captain Iohn Mason his heyres and assignes for ever And to be injoyed as fully ffreely and in as large ample and beneficiall manner and forme to all intents and purposes whatsoever as he the said Sir fferdinando Gorges by virtue of the faid recited Indenture might or ought to have hold and enjoy the same or any part thereof In Wittness whereof the said parties to these present Indentures interchangeably

390 The Royal Charter, Etc.

changeably have Sett their hands and Seals the Day and Yeare ffirst above written

FFERD. GORGES.

Sealed and Delivered in the presence of Mathew Bradley Roger Beal Iohn Moor/ Scr.

This is a true Copie

EDW CRANFIELD

B: SARGEANT. RICH: POVEY.





THE

WILL OF CAPTAIN JOHN MASON.



HE will of Capt. Mason is entered on the register of the Prerogative Court of Canterbury, in which court it was proved December 22, 1635. The records of this court are now kept at Somerset House, in the Strand, London. The

original will from which the copy here printed was made, is also on file there. There have been in New England at least two official copies of the document issued by the Probate Office in London. One of these, on parchment, made for Mrs. Anne Mason, April 20, 1653, is now preserved in the office of the Massachusetts Secretary of State. It was probably used as evidence by Joseph Mason, the agent of Mrs. Mason, at the hearing of her case before the Massachusetts General Court in the summer of that year. The copy is certified to in these words:—

The Keepers of the Liberty of England by authoritie of Parliament, To all Persons whatsoever to whom theis Letters Testimoniall shall Come,

858 Vide ante, p. 94.



Come, Greeting. Whereas the Right Honoble the Judges appointed by Act of Parliament for Probate of Wills and granting Administrations of all psons deceasing within Comonwealth of England vppon fearch made in the Registrie in the late Court of Prerogative in tymes past styled, The Prerogative Court of Canterburie, for Wills there proved have found; That the two and twentyeth day of December One thousand six hundred thirty five att London before the Worshipfull William Clerk, Doctor of Lawes and Surrogat of Six Henry Martin, Kn! Dor of Lawes and Master or Keeper of the Prerogative Court of Canterburie, the last Will and Testament of Captaine Iohn Mason, of the Cittie of Westminster, deceased, was proved, approved, and infinuated, and Administracon of his estate concerning his Will was granted to Ann Mason, Relict and Executrix of the favd Will, she being first sworne to pforme the fame well and truly, and to exhibit a true Inventorie of his estate into the then Court. The tenor of which Will and Probate are as followeth, vizt.

Then follow the will and probate. The certificate closes: —

In testimonie of the truth hereof att the humble suit of the sayd Ann Mason. Wee have hereunto caused the Seale of Office for the Probate of Wills and Granting of Administracons to be affixed the twentyeth day of Aprill in the Yeare of Our Lord, One thousand fix hundred fiftie three.

MARKE COTTLE

TRACY PAUNCEFOTE. Reg. 859

The

Mr. J. C. C. Smith, of London, England, Superintendent of the Literary Department of the Probate Registry, Mark Cottle and Tracy Pauncefote

bate of Wills,' who during the Com-monwealth superfeded the Prerogative and all other Testamentary Courts; or Somerfet House, writes to me: "Both more probably they were Deputy Regifters. Mark Cottle occasionally figns were Registers (as it was spelt until so. The Register was usually a sine-1858) of the 'Commissioners for Pro- curist and absentee, and his deputies The other official copy was figned by "Thomas Welham, Regr" Deputy," date unknown, and was used in the case of Waldron vs. Allen. In the office of the Clerk of the Supreme Court of New Hampshire at Exeter, New Hampshire, two copies of this official copy are found in a file of papers labelled "Allen v. Waldron, 1707-8." One of these copies is from the Inserior Court of Common Pleas, and is attested by Henry Penny, Clerk of that Court; and the other is from the Superior Court, and is attested by Theodore Atkinson, clerk of the latter court. The New England Historic Genealogical Society has a copy, made August, 1700, attested by Richard Partridge, Notary Public, which was presented to the Society by the Hon. Francis Brinley.

Since the account of the family of Capt. John Mason was printed, 861 Mr. Henry F. Waters has furnished me with the following pedigree which carries back the ancestry of Mason three generations farther than that furnished to Mr. Tuttle by the late Col. Joseph L. Chester. Col. Chester's conjecture that Capt. Mason was of humble origin, is not supported by facts since discovered. The earliest known ancestor of this family, it seems, was a native of Lancashire.

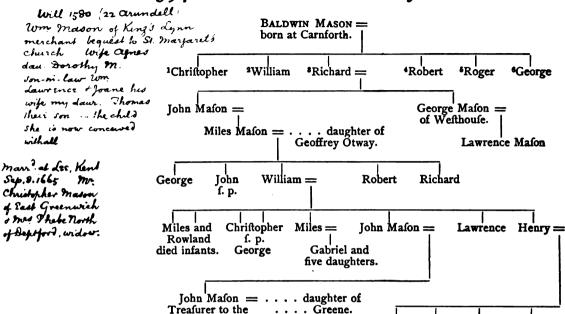
BALDWIN

were called 'Registers' in many inftances down to modern times. Both of the above gentlemen were of good family. The former will be found in the pedigree of Cottell of Devonshire, and Tracy Pauncesote in the Pauncefote pedigree in Visitation of Lonaon, 1633-5."

**O Manuscript letter of the Hon. Charles H. Bell, LL.D.

**O Ante, pp. 33-43.

**Ante, p. 42.



Mr. Waters found the above pedigree in the British Museum, Add. MS. 5533, which contains, first, "Arms and Pedigrees of London Families," and fecond, "The Vifitation of Surrey, 1662." This pedigree is on page 212. On page 9 (in pencil, 13) may be found a tricking of the arms of Capt. In these arms the tincture of the field is not marked. The coat is "... a fess A, in chief two lions' heads [couped] B, a mullet for difference Or. 868 Crest, a lion's head

368 George W. Marshall, LL.D., F.S.A., of London, who furnished me with this Harleian MS. 1086. It is an evident blazon, writes: "I take it that the A on the fess should have been written on

King's Armies.

which makes the coat tally with that in error of the man who did the tricking." This correction makes the coat agree the field, and that the fess should be B, also with the tricking found by Col.

John George Miles Christopher

B between two wings A, charged with a mullet for difference." Underneath is written: -

Entered in the Visitation Book of London ano 1634 for Capta John Mason Treasurer of the Army To K. Charles

> SR JOHN BOROUGH, Garter HEN. ST GEORGE, Richmond.

In Harleian MS. 1086, fo. 19^b, appear the arms of "Robert Tufton als. Mason, whose grandfather was 2 brother to yo Lord Tufton." The coat is: Quarterly 1 and 4. Arg. on a pale Sable an Eagle displayed of the field, a crescent for difference. 2. Arg. a fess and in chief two lions' heads, couped, Azure. 3. Azure 3 bucks trippant Or, a mullet for difference. Crest of Tuston, the sea lion sejant, is also given.

Col. Chester conjectured, from not finding the name of John Mason, the father of Capt. John Mason, at King's Lynn, after the birth of his daughter in 1589, that he removed from that place; but Mr. Waters has found his will at Somerfet House, which shows that he died two years later. His widow may have removed. The following is an abstract of the will: - 864

John Mason of King's Lynn, merchant, dated Jan. 7, 1591-2, proved March 9, 1591-2 (Harrington 23) wife Isabell; fon John; "the childe my faid wiese is withall;" daughter Dorothie; my brothers' and fifters' children. Supervifors, Mr. Henrie Kidson, preacher, Mr.

Chester in the Heralds' College, vide ante, p. 36, and that in the Visitation Smith, of London, for this abstract, and of London, Harleian Society's Publications, Vol. XVII. p. 85.

⁸⁶⁴ I am indebted to Mr. J. C. C.

William Frann, George Gibson, John Junun (?), Christopher Trotter and Humphreie Farnebie. Wife Isabell, executrix (proves). Witnesses, John Gatefolde, John Collingewood, ye younger, John Scott, John Wentworthe. He has considerable estate.

It feems from this will that Capt. John Mason was his father's only son when the will was made, so that it is evident that the mullet in the arms of the latter was not intended to show that he was the third son. It is highly probable that he inherited the arms.

It is stated in the preceding quotation from Harleian MS. 1086, that the grandfather of Robert Tuston, alias Mason, was the second brother of Lord Tuston. I have failed to find evidence confirmatory of this. It is not improbable that Sir Nicholas Tuston, created November 1, 1626, Lord Tuston of Tuston in Essex, and August 5, 1628, Earl of Thanet, may have been a relative of John Tuston of Peasmarsh, the father of Joseph and grandfather of Robert Tuston; but it is certainly improbable that he was a brother.

John Tufton, of Peasmarsh, gentleman, was buried there, September 3, 1591. His will, dated August 20, 1591, was proved October 25, 1591 (St. Berbe, 74). He names—

One John Tufton of the parish of Wittersham in the Isle of Oxney, Kent; Johane Tufton servant unto Mr. Waylott my uncle's daughter; servants Mary Gladwishe and Robert Waterman; Mrs. Bridget Shepperd of the parish of Tenterden, my wife's sister; Mr. Robert Shepperd of Tenterden, my godson; Mr. Robert Sheppard of Tenterden, gent, my wife's brother; Alice Stevenson of Tenterden, my sister's

Vide ante, p. 36.

fister's daughter; Johane Sloman of Breade, sister; Mr. John Whitfield of Tenterden, my godson; my dau. Bridget Tuston; ⁸⁸⁶ my son and heir Joseph Tuston; if my wise Elizabeth be now with child; Mrs. Agnes Shepperd of Tenterden my wise's mother. Witnesses, John Peck, William Burdyt, John Sere, Robert Morfort.

The following is an abstract of the will of Joseph Tuston, the father of Robert Tuston alias Mason:—

Joseph Tuston of East Greenwich, Kent, Esquire, 14 November 1653, proved 29 March 1654, nuncupative. (Alchin 385) Wise Anne and children. Reference is made to the sum of one thousand pounds "that was put into father Mason's hands." Mother Mason named. Jane Lambert and Florence Tuston, witnesses.

The following is a copy of the will of Capt. John Mason, transcribed from the original on file in the Prerogative Court of Canterbury, Somerset House, London.

WILL.

T. Johannis Mason Ar.

In the name of God Amen. I Captaine John Mason of London Esq beinge sicke in bodie but of perfect mynde and memorie (laud and praise be therefore given to Almightie God) doe make and declare this my present last will and Testament in manner and forme followeing that is to saie ffirst and principally I Comend my soule into the handes of Almightie god my maker hopeing and assured beleeveing that by and through the merritte of the most pretious death and passion of my lord and saviour Jesus Christ I shalbe saved

waters for this abstract of Joseph Tufton's will, and for references to other wills and to trickings of arms.

^{***} Among the baptisms on the Peasmarsh Register is this entry: "1590, June 7 Bridget daughter of Mr. John Tuston."

and have full and free pardon and remission of all my sinnes and enioy everlasting life in ye Kingdome of heaven amongst the elect Children of God My body I comitt to the Earth from whence it came to be buryed in the Collegiate church of St. Peter in Westminster without any funerall pompe or ceremonie AND as concerning all and fingular the goodes chattells debts and personall estate wch it hath pleased God of his mercy to blesse me withall in this life (after my debts shalbe paid and my funerall charges difcharged) I give devile and bequeath the same vnto such person and persons in such manner and forme and vnder such provisoes condicons and lymittacons as are hereafter expressed that is to say INPRIMIS I give and bequeath vnto ffive poore people of the Towne or parrishe of Portsmouth in the county of South the some of flive pounds to be distributed according to the discrecons of the Churchwardens of the faid towne or parrishe for the tyme being and to be paid by my executrix vnto the faid Churchwardens of the faid towne or parrishe within One yeare nexte after my decease The said churchwardens within one yeare next after the receipte of the faid legacie giving vnto my executrix an honest and iust accompt of the distribucon of the said legacie to the vse of the said poore people. Item I giue vnto my fister Dorothie More (in case she shalbe in want) for and during the terme of her naturall life the yearlie fome of Tenn poundes of lawfull money of England to be paid vnto her or her affignes Att two viuall feafts or halfe yearlie payments in the yeare by even and equal porcons And I give vnto everie of the children of my faid fifter Dorothie More Sixe poundes a peece of lawfull money of England. Item I give vnto Bettrice Baldwyn the fome of ffive poundes. Item I give and bequeath vnto my brothers in lawe M. Josua Greene and his wife M. Edward Lambert and his wife, M' Henrie Burton and his wife, M' John Wollaston and his wife, and to my lovinge cozens Doctor Robert Mason of Greenewich and his wife and mother. To my Cozens M! Thomas Geere and his wife To my cosen Thomas Mason gentleman, and to my cozens M. Thomas Gippes and his wife to everie of them ffiftie shillinges a peece

peece to make them ringes to weare in the remembraunce of me. All the rest and residue of all and singuler my goodes Chattells ready money debts and perfonall eftate whatfoever and wherefoever (after my debts shalbe paid and my legacies and funerall charges discharged) I will that my wife shall have the use thereof and of euie part thereof and shall receave have and enjoy to her owne proper vse all the increase proffitt and benefitt that shalbe made thereby for and during the terme of her naturall life, And from and imediatlie after the decease of my said wife then I give devise and bequeath the faid rest and residue of all and singuler my goodes chattelles ready money debts and psonall whatsoever vnto my source grandchildren John Tufton Anne Tufton Robert Tufton and Mary Tufton to be equallie devided amongst them part and part like And to be paid to the men children at their feverall ages of One and twenty yeres and to the women children at their ages of One and twenty yeares or dayes of marriage (which shall first happen) And if any of them dye in their minority Then the part or porcon of him her or them fo dying shalbe pted and divided vnto and amongest the survivo" and furvivor of my faid foure grandchildren respectively And my will and mynd is and I doe hereby devise and appoint that in case my faid wife Anne Mason shall dye and depart this mortall life before all my faid foure grandchildren shalbe capeable to receaue haue hold and enioy the feverall legacies and bequeftes before in this my will given and bequeathed vnto them and to hold and enioy the lands and tents hereafter in this my will by me given and bequeathed vnto them or to them and their heires respectively That then and in such case my loving brother in lawe John Wollaston shall receave the parts and porcons of fuch of my faid foure grandchildren as shalbe then in their minority and take possession of such land as I shall in this my will give devise and bequeath vnto them and shall imploy the same for the benefitt and maintaynaunce of my faid grandchildren and shall pay the fame to them respectively as they shall attaine to their ages of One and twenty yeares or dayes of marriage as aforefaid And I doe hereby make and ordaine the faid John Wollaston (after the decease

deceafe of my faid wife) fole guardian of and for my faid grandchildren or fuch of them as shalbe in their minority at the time of the decease of my said wife And in case my said wife and my said brother in law John Wollaston shall both dye and depart this mortall life before my faid grandchildren shalbe capeable to have and receave their porcons as aforefaid and to enjoy fuch land as hereafter in this my will is by me given and bequeathed vnto them respectively. Then I leave the educacon and bringing vpp of fuch of my faid grandchildren as shalbe in their minority and the receaving having and possessing of such lands tents legacyes and bequests as I have and shall give them by this my will vnto fuch person or persons as my said brother in lawe John Wollaston shall in his life time no ate and appoint for that purpose and to no other pion or pions whatfoever And I doe hereby charge my faid grandchildren and everie of them to make choice of and accept of my faid brother in lawe and fuch pson or psons as he shall appoint and none other whatsoever to be guardian and guardians for them after the decease of my said wife And I doe hereby make name and ordaine my faid loving wife Anne Mason the full and sole executrix of this my last will and testament desireing her to performe y! fame in all thinges according to my true intent and meaning And I doe hereby constitute and appoint my said loving brother in lawe John Wollaston the Overseer of this my last will and testament entreating him to be aydeing and affifting vnto my faid executrix in the execucon thereof and in token of thankfulnes for his love to me I doe hereby give and bequeath vnto him my Coach and two Coach horses with the furniture to them belonginge Nowe as concerning the difposicon of all and singuler my Mannors Messuages lands tents and hereditam's wth their and eury of their rights members and appurtennes as well whin the Realme of England as elsewhere I give devise and bequeath the same and eury of them to such pson and psons vpon fuch trufts and confidences to fuch vies intents and purposes and vnder fuch provisoes condicons and limittacons as are hereafter expressed that is to saie ffirst I give devise and bequeath vnto the Maio' and Coıalty and Corporacon of the towne of Kingslyn in the Countie

Countie of Norffolke where I was borne by what name title or addicon soever the said towne or Corporacon is have bin or shalbe called knowne or incorporated and to their fucceffors for ever (vnder the Provifoe or condicon nevertheles hereafter expressed) Two thoufand acres of land in my County of Newhampshire or Mannor of Mason hall in New England and which by my executrix and overseer aforesaid shalbe thought most fitt And the revercon & revercons remainder and remainders of the same Two Thousand acres of land and every part thereof To have & to holde the same and every part thereof vnto the faid Maio' and Coïalty and Corporacon of the faid towne of Kingeslyn and their successors for ever for and vnder the yearelie rent of One penny of lawfull money of England to be paid to my heires (if it shalbe demaunded) and also allowing vnto my heires for ever Two fift parts of all fuch mynes royall as shalbe at any time after my decease found in & vpon the same land or any part thereof Provided alwayes and my will and mynd is and I doe hereby devife and appoint that the faid Maio' and Coialty their fuccessors or affignes shall within five yeares next after my decease plant and sett vpon the faid two thousand acres of land five familis of people at least to plant vpon the same And that the cleere yearlie proffitt that shalbe made of or vpon the faid two-thousand acres of land shalbe yearlie for ever distributed and disposed of towardes the maintenaunce and releefe of the poore people of the faid towne at the difcrecon of the Maio and Aldermen or cheefest governors of the said towne for the tyme being And I will that my faid wife Anne Mason shall at the request costs and charges in the lawe of the faid Maior & Coïalty their fuccessors or affignes lawfully and fufficiently convey releafe and affure vnto the faid Maior and Coïalty and their successors for ever all her right estate dower title of dower and interrest of and in the said Two thousand acres of land and that by fuch lawfull wayes and meanes as by the faid Maio' and Colaty or their fuccessors or by their Councell learned in the lawe shalbe reasonably devised or advised and required. Item I give devise and bequeath vnto my loving brother in lawe John Wollaston and to his heires and affignes for ever to be holden of my heirs in fee

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fee farme Three thousand acres of land wth thappurtennes in my County of Newhampshire or Mannor of Mason hall aforesaid where my faid brother and executrix shall thinke fitt And ye revercon and revercons remaynder and remainders rents and yearlie proffitts whatfoever of the same three thousand acres of land and everie or any part thereof to have and to holde the fame and everie part thereof vnto the faid John Wollaston his heires and assignes for ever To be holden of my heires for ever in fee farme paying only Twelve pence of lawfull money of England per Annū to my heires when the fame shalbe demanded of the said John Wollaston his heires or assignes and alfoe allowing to my heires two fifte parts of all fuch mynes royall as shalbe at anie tyme after my decease found in and vpon the fame land or any part thereof. And I will that my faid wife Anne Mason shall at the request costs and charges in the lawe of the said John Wollaston his heires or assignes in due forme of lawe convey release and assure vnto the said John Wollaston his heires and assignes All her right title dower interrest clayme and demaund of in and vnto the faid Three Thousand acres of land with the appurtences and of in and vnto every or anie part thereof by fuch conveyaunce wayes and meanes as by the faid John Wollaston and his heires or assignes or his or their Councell learned in the lawe shalbe reasonably devised or advised and required. Item I give devise and bequeath vnto my grandchild Anne Tufton and to her heires and affignes for ever (vnder the provifoes and conditions nevertheles hereafter expressed) All those my landes tenements and hereditaments wth the appurtenncs lying and being at Capeham of Wagen vpon the fouth east fide of Sagada Hocke in newe England aforefaid called Masonia and conteyning by estimacon Tenn Thousand acres or thereabouts be the fame more or lesse And the revercon and revercons remainder & remainders rents and yearlie and other proffitts whatfoever of the fame landes and premisses To have and to hold the said landes and premisses and everie part thereof with thappurtennce vnto the said Anne Tufton my grandchild and to her heires and affignes for ever. Prouided alwayes and my Will mynd and meaning is and I doe hereby

hereby devise and appoint That my wife shall hold and enioy the faid Ten Thousand acres of land and everie part thereof and receave take and enioy to her owne proper vse and behoofe all the rents issues and proffitts of the same and of everie part thereof vntill my faid grandchild Anne Tufton shall attayne to the age of One and Twenty yeares or day of marriage which shall first happen (if my faid wife shall so long live) Item I give devise and bequeath vnto my grandchild Robert Tufton and to his heires and affignes for ever (vnder the provisoes and conditions neutheles hereafter expressed) All that my Mannor of Masonhall in New England aforesaid with all ye lands tents hereditaments rights members and appurtences therevnto belonginge (except such part of the land therevnto belonging as is before bequeathed by this my will) and the revercon and revercons remaynder and remainders rents and yearly and other proffitts whatsoever of the same premisses To have and to holde the fame and everie part thereof (except before excepted) vnto my faid grandchild Robert Tufton and to his heires and affignes for ever Prouided alwayes and vpon condicon nevertheles and my true intent and meaning is that the faid Anne my wife shall hold and enioy the faid Manno' and premisses given to my faid grandchild Robert Tufton as aforefaid and receave take and enioy to her owne proper vse the rents issues and proffitts thereof vntill my said grandchild Robert Tufton shall attayne to and accomplish his full age of One and twentie yeares (if my faid wife shall so long live) Prouided also and my further will mynd and meaning is and I doe hereby devise and appoint That my faid grandchild Robert Tufton shall alter his firname and firname himselfe Mason before he shalbe capeable to enioy the faid Mannor and premisses according to this my will for that my true intent and meaning is that the faid Mannor and prmisses shall continue in my name as now it doth and no otherwise Item I give devife and bequeath vnto my faid brother in law John Wollaston his heires and affignes for ever (vpon the trufts and confidences and to the vses intents and purposes nevertheles hereafter expressed) Two Thousand acres of Land in my County of Newhampshire in New

New England aforefaid where my faid brother and my executrix aforesaid shall thinke fitt Vpon trust and Confidence and to the vse intent and purpose that my said brother John Wollaston or his heires and my faid wife Anne Mason shall with all convenient speed after my decease at the charges of my estate in due forme of lawe fettle and convey one Thousand acres of the said land to some ffeoffees in truft and to their heires for ever for and towards the maintennce of an honest godlie and religious Preacher of gods word in some Church or Chappell or other publique place that shalbe appointed for divine worshipp and service within the said County of Newhampshire where my said wife and brother shall thinke fitt (the faid ffeoffees and their heires paying and allowing vnto my heires for ever the yearelie rent of One penny (if it be demaunded) and two fifte parts of all fuch mynes royall as shalbe found in and vpon the said One thousand acres of land or any part thereof And One Thousand acres more refidue of the faid two thousand acres of land I will shalbe fetled or conveyed as aforefaid to fome ffeoffees in trust and to their heires for ever for and towards the maintennce of a free grammer schoole for the educacon of youth in some Convenient place within my faid County of Newhampshire where my faid wife and brother in lawe shall thinke fitt they also paying and allowing vnto my heires for ever the yearlie rent of One pennie (if yt be demaunded) and two fift parts of all fuch mynes royall as shalbe found in and upon the faid One Thousand acres of land or any part thereof All the rest and refidue of all and finguler my mannors Messuages landes tents and hereditaments with their and euie of their appurtennes lying and being within my faid County of Newhampshire or elswhere in New England aforesaid (not before bequeathed by this my Will) I give devise and bequeath the same and every part thereof and ye revercon and revercons remaynder and remainders thereof and of every part thereof (vnder the provisoes and conditions nevertheles hereafter expressed) vnto my grandchild John Tuston and to the heires of his body lawfullie to be begotten And for want of fuch yffue to the faid Robert Tufton my grandchild and to the heires of his body lawfully

to be begotten And for want of fuch yssue To my Cozen Doctor Robert Mason Chauncellor of the Dioces of Winchester and to the heires males of his body lawfully begotten or to be begotten And for want of fuch yffue to my right heires and affignes for ever Prouided allwayes nevertheles and my will mynd and meaning is That my faid wife Anne Mason shall have hold and enjoy the said Mannors Messuages lands and p'misses by me giuen to my said grandchild John Tufton as aforesaid and receave the rents visues and proffitts thereof and of eu'y part thereof to her owne proper vie and behoofe vntill my faid grandchild John Tufton attaine to and accomplish his full age of One and twenty yeares (if the said Anne my wife shall so long live) Prouided also and my further will mynd and meaning is and I doe hereby deuise and appoint that my faid grandchild John Tufton shall alter his sirname and sirname himselfe Mason before he shalbe capeable to enjoy the said Mannoⁿ lands and p'miffes or any part thereof according to my bequest for that my true intent and meaning is that the faid Land shall not discend from the name of Mason but that my said grandchild and his heires shall enioy the same Land and p'misses in my owne sirname and not otherwife Provided also and my Will and mynd is and I doe hereby devise and appoint That my faid grandchild John Tufton or his heires shall well and truely paie or cause to be paid vnto my grandchild Mary Tufton his fifter out of the faid Mannor Messuages lands and tents by me bequeathed vnto him as aforesaid the some of ffive Hondred Poundes of lawfull money of England for her better preferment and advauncement in marriage The same to be paid vnto her or her assignes within One yeare next after the daie of the marriage of the faid Marie Tufton without fraud or Covyn Provided also and my further will mynd and meaning is and I doe hereby devise and appoynt That in case my said grandchildren John Tuston Anne Tufton Robert Tufton and Mary Tufton or any of them shall refuse or be vnwilling to take and accept of my aboue named brother in lawe John Wollaston or such person or persons as he shall appoint to be his or their guardian or guardians after the decease of my wife during during their or any of their minoritys Or if in case my said foure grandchildren or any of them their or any of their heires executors administrators or assignes or any of them shall att any time or tymes after my decease by any waies or meanes whatsoever sue vexe molest trouble or profecute my executors or administrators for the some of One Thousand poundes of lawfull money of England which was heretofore deposited in my handes by Joseph Tufton their father or for any part thereof That then and from thenceforth in either of those cases the legacies and bequests by me given and bequeathed to fuch of my foure grandchildren and to his or their heires as shall fo offend contrary to my true meaning herein before declared shalbe voyd and of none effect as if the same had never beene expressed in this my will And that then also and in such case I give devise and bequeath all and every the Messuages landes tenements hereditaments money goodes and chattells whatfoever before or hereafter in this my will given devised or bequeathed vnto such of my grandchildren and their heires weh shall so disobey my true meaning here in before declared vnto my loving cozen Docto' Robt Mason Chancellor of the Dioces of Winchester and to his heires and affignes from thenceforth for ever ITEM I give devise and bequeath all and singuler my Messuages landes tents and hereditam's with their and eury of their appurtennes lying and being within the Realme of England or elfwhere (not bequeathed by this my will) vnto my loving wife Anne Mason and her assignes for and duringe the terme of her naturall life and after her decease to my aboue named brother in lawe John Wollaston or his assignes for & during the Joint lives of my said daughter Anne Tufton and her now husband vpon trust & confidence neutheles that the faid John Wollaston and his assignes shall pay and disburse the rents and proffitts of the faid p'misses and euie part thereof for and towards the proper maintenaunce stay of and liveinge of and for the faid Anne my daughter and no otherwise and in case my said daughters now husband shall dye and depart this life in the life tyme of my faid daughter Anne Tufton Then and from thenceforth I give devise and bequeath my faid last menconed messuages lands tents and

and hereditam's and eury part thereof vnto my faid daughter Anne Tufton for and during the terme of her naturall life And from and ymediatly after the deceases of my faid wife and daughter and of the longest liver of them Then to my said grandchildren John Tuston Anne Tufton Robert Tufton and Mary Tufton and to their heires and affignes for ever and to none other vie intent or purpose whatfoeur (vnder ye provifoes and condicons neurtheles herein before declared). — Finallie I doe hereby revoke countermaund and make voyd all former willes Testaments Codicilles executors legacies and bequests whatsoever by me att anie tyme made named given willed or appointed before the making of this my will willing and mynding that theis pnts only shall stand and be taken for my last will and Testament and none other Saveinge and reservinge vnto my selfe nevertheles full power and authoritie to make add or annexe herevnto one or more Codicill or Codicills at my free will and pleafure Any thing what soever before in this my last will and testam! expressed to the contrary thereof in any wife notwithstanding. In WITNES whereof I the faid Captaine John Mason the Testator to this my present last will and Testament being written in fourteene sheets of paper wth my name subscribed to everie sheete have sett my seale the Sixe and Twentieth daye of November Anno Dni 1635 And in the Eleaventh yeare of the raigne of o' Soveraigne Lord Charles by the grace of God King of England Scotland, ffraunce and Ireland defendo of the faith etc. / And in case my said grandchildren John Tufton and Robt Tufton shall both dye in the life time of my wife whout yssue of their or either of their bodyes lawfully begotten Then I giue & bequeath all my Manno" Messuage lands and tents by me given to my faid Two grandchildren or either of them vnto my wife during the terme of her ñrall life And after her decease to my daughter Anne Tufton during the terme of her firall life And after both their deceases then to such pson and psons as the same is menconed to be given and bequeathed vnto by this my will 868

> JOHN MASON./ Signed

The feal is broken into small pieces, so that it is impossible to give a proper description of it. — COPYIST.



408 Will of Captain John Mason.

Signed fealed, published, and declared by the said Captaine John Mason the Testator as his last will and testament on the day and yeres aboue written in the presence of vs whose names are herevoder written

Tho: Noel, Matthew Mason, J: FFERRETT Notary Publique.

Probatum fuit testamentum suprascriptum apud London Coram venerabili viro magistro Wilłmo Clarke legum doctore Surrogato venerabilis viri domini Henrici Marten militis legum etiam doctoris Curiæ Prerogatiue Cantuariensis magistri Custodis sive Commissarii legitime Constituti Vicesimo secundo die mensis Decembris Anno Domini Millesimo Sexcentesimo Tricesimo Quinto Juramento Anne Mason relicte dicti defuncti et executricis in huiusmodi testamento nominate Cui Commissa fuit administraco omnium et singulorum bonorum Jurium et Creditorum dicti defuncti de bene et sideliter administrando eadem Ad Sancta Dei Evangelia iural.

-Sadler. Folio 127.



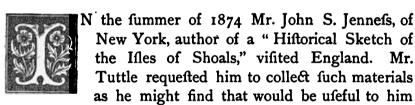


MRLES LEVY WOODBURY - CHARLES WESLEY THTTLE HARLES HENRY BELL . ELIEN TOPLETON HAVEN . TILL OF NEW HAMPSHIRE TO THE GLORY OF GOD AND IN MEMORY OF CAPTA JOHN MASON CAPTAIN IN THE ROYAL NAVN TREASURER OF THE TRMY GOVERNOR OF THE COLONY OF SER CASTLE NEWFOUNDLAND PATENTEE AND FOUNDER OF NEW Hampshire in America VICE ADMIRAL BORN 1586 OF NEW ENGLAND THIS FAITHFILL CHURCHMAN AMERICA WILL EVER BE PROUD WESTMINSTER ABBEY.



MEMORIAL TO CAPT. JOHN MASON,

AT PORTSMOUTH, ENGLAND.



in writing the life of Mason on which Mr. Tuttle was then engaged. During his stay in England Mr. Jenness visited Portsmouth, and made the acquaintance of the Venerable Archdeacon Henry P. Wright, chaplain of her Majesty's forces there. On the 11th of September following, Archdeacon Wright addressed the following letter to the Hon. James A. Weston, Governor of New Hampshire, on the subject

more voluminous than either Mr. Tuttle or he expected, and the refult was that after his return he had them privately printed in a volume of 161 pages, under the title of "Transcripts of Original Documents in the English Ar-

chives relating to the Early History of New Hampshire. Edited by John Scribner Jenness. New York: Privately printed, 1876." This work has been frequently quoted in the previous pages. It is a valuable contribution to the history of New Hampshire.

fubject of a memorial to Mason in the old church bearing the name Domus Dei, in which Capt. Mason was accustomed to worship:—

PORTSMOUTH [ENG.], Sept. 11, 1874.

SIR,—It has been my privilege to live with many Americans around me, in California and British Columbia, as well as in the Western States and Canada. I have received from Americans the greatest kindness. You will therefore, I am sure, pardon my writing to you upon a subject of interest to both America and Great Britain, and especially to the State of New Hampshire. "Captain Mason" was "Captayne" of South Sea Castle—in other words, he was Governor of Portsmouth—in the time of Charles I. He lest the port of Yarmouth, in the Isle of Wight, and went with a body of kindred spirits, and endured with them the perils and hardships which attended the noble fellows who sounded the now renowned State of New Hampshire. "To be a supplied to the state of New Hampshire."

A highly intelligent American named Jenness has lately been at Portsmouth seeking information about "Captayne Mason," in order that

870 Capt. Mason did not accompany his colonists to New England, as the reader has already seen. He spent about fix years in Newfoundland, but is believed never to have vifited the shores of New England. It is true that in the Title of Robert Mason, written in 1674-5, it is stated that in 1619 he made a voyage along the coasts of New England with Sir Ferdinando Gorges; but as other statements in this document are evidently erroneous, ferious doubts are thrown on this. The year given, 1619, renders the story improbable, as Mason was at that time governor of Newfoundland. Nor is it probable that he and Gorges made the voyage at any time. No allusion is made to such a voyage by Gorges, nor has any confirmation

of the statement been found elsewhere. The story as told in the Title of Robert Mason is as follows:—

"King James of Blessed Memory being very intent in Establishing English Collonyes in America did in the yeare 1616 send John Mason Esq to Newfoundland to settle that Country, appointing him Gouernour, who continued there about Two yeares, and having recd orders from his Majue to visit yt parte of America now called New England, who togeather with Sr sterdinando Gorges made a voyage along yt Coaste in Anoson aut their returne for England gaue his Majue a statisfactory account both of their voyage and Country." Vide New Hamphire Documents, by J. S. Jenness, pp. 54, 55.

that an accurate history of the great man may be written. He visited our world-renowned church, the story of which I forward to you with this letter. In it we have England's noblest soldiers and failors, as you will read in the story. Now only one object for a memorial remains,—the sour gas standards lighting the forty-two stalls, of which the first on one side is to Nelson's memory and the other to that of Wellington. I want, in a solemn and marked way, to connect New Hampshire with old Hampshire,—the hero who was one of the sounders of New Hampshire and a governor of Portsmouth, with the heroes several of whom have been governors of this vast arsenal.

I write, therefore, to ask if you, Mr. Governor, and your many New Hampshire friends will present the four standards at a cost of £110 (including the brass plate, and its inscription on the wall of the chancel), to the memory of "Captayne Mason." If so, Sir Hastings Doyle, our present general and governor, and the president of our committee, will gladly communicate your desire, and our secretary of state for war will, I am sure, rejoice in accepting so gratifying an offer. I need hardly observe that it is not the money we seek; for had we a hundred memorials, they would be speedily applied for. No; what I want is a holy link between old Hampshire and New Hampshire, old Portsmouth and new Portsmouth, old England and a new and already mighty people, whom I have learned to honor and esteem.

I am, fir, yours faithfully and obediently,

H. P. WRIGHT,

Chaplain to the Forces, and Chaplain to H. R. H. the Duke of Cambridge, K. G.

To His Excellency the Governor of New Hampshire.

The Hon. Charles H. Bell, LL.D., fince then governor of New Hampshire, called attention to this request of Archdeacon

deacon Wright, and urged compliance with it, in the following article in the "Exeter News Letter," November 27, 1874:—

Capt. John Mason, the original patentee of New Hampshire, who expended generously of his substance to establish a permanent settlement on these shores, has lain in his grave for more than two centuries, while but scanty justice has been rendered to his memory. His biography, however, is now in preparation by Mr. Charles W. Tuttle, of Boston, a gentleman in every way admirably qualified for the work, and who will spare no labor nor pains to make it as complete as the materials now in existence at home and abroad will allow. And it appears that there has recently been awakened in the mother country also a desire to rescue the name of New Hampshire's early benefactor from oblivion. Archdeacon Wright, of Portsmouth, in England, has addressed a letter to the Governor of this State, in which he expresses his wish that a memorial of Mason may be set up in the famous old church in that city, by the fide of fimilar memorials erected in honor of Nelfon and Wellington. It would be as a "holy link between old Hampshire and New Hampshire, old Portsmouth and new Portsmouth, old England and a new and already mighty people," whom the writer declares he has learned to "honor and esteem." The Archdeacon suggests that the "governor and his many New Hampshire friends" should present the four standards and the brass plate with an inscription, to be affixed to the chancel wall, which would conftitute the memorial, the cost of which would be fomething above \$500. What steps about the matter Governor Weston has taken or designs to take is not yet known to us; but we hope he will incline to a favorable view of the proposal, and appeal to the people to contribute the amount required, in small donations, so that it may in a just sense be described as the gift of the inhabitants of the whole State, and not of a few individuals. It would, we are confident, take but a little time and labor on the part of a few persons

to

to procure the amount from the various sections of the State; and it would be much to the credit of our Commonwealth to unite with the localities in the old world, of kindred race and name, in doing this tardy but well-merited honor to the memory of the sounder of New Hampshire.

On the next day Mr. Tuttle addressed the following letter to Gov. Weston:—

Boston, 28th November, 1874.

SIR,—I have read in the public papers, with deep interest, the letter addressed to you by Chaplain Wright, of England, relative to placing a memorial of Capt. John Mason in the ancient church of Domus Dei, in Portsmouth, Hampshire County, England. This generous offer to permit New Hampshire to complete the group of memorials of illustrious men in that venerable temple by adding a memento of Capt. Mason, will be appreciated by all who recognize the historical connection between old Hampshire and New Hampshire.

The great merits of Capt. Mason, it is lamentable to say, are still unknown to the world. For many years I have been collecting materials for an historical memoir of this distinguished man; and, from the view I now take of his life and character, I venture to assert that he ranks among the worthiest of the enterprising Englishmen engaged in those "heroical works," in the language of the great Lord Verulam, of planting English colonies in North America, in the fore part of the seventeenth century. His efforts in America, though less in magnitude, compare savorably with those of Sir Walter Raleigh and Sir Ferdinando Gorges; and when his full merits are disclosed, his name will rival theirs in the history of that great and memorable enterprise.

John S. Jenness, Esq., of New York, formerly of New Hampshire, informs me that he visited the famous church of the Domus Dei some

fome time last summer, and that the honor intended to be done to New Hampshire is no way exaggerated. I am sure that Mr. Jenness, from his well-known historical tastes, and the interest he takes in the history of New Hampshire, will gladly give you any information on this subject that you may need, and aid you in carrying out this worthy design.

Descended from the colonists sent to the Piscataqua by Capt. Mason, I shall take pleasure in contributing to the fund required to place this proposed tribute to his memory in the church where he worshipped, in that ancient maritime town where he conceived his plan of planting a New Hampshire in the forests of the New World.

I am, fir, your humble fervant,

C. W. TUTTLE.

To His Excellency Gov. Weston, New Hampshire.

A few days later, Mr. Jenness addressed Gov. Weston as follows:—

PORTSMOUTH, N. H., Dec. 2, 1874.

SIR,—The recent letter to your Excellency from Archdeacon Wright, of Portsmouth, England, tendering to the people of New Hampshire the privilege of furnishing his Garrison Church four gas standards and a suitably inscribed tablet, as a memorial of Capt. John Mason, contains an allusion to myself which seems to justify me in adding a few words on the subject of the letter.

The public-spirited citizens of New Hampshire cannot fail to be moved by the Archdeacon's proposal. Our State owes a heavy debt to Capt. John Mason, no part of which has ever been discharged. For many years of his busy life, though actively engaged in the naval and military service of Great Britain, he relaxed not the most energetic efforts for the colonization and development of this province.

He

He was the chief adventurer in founding the first permanent English colony on our coast; and for several years he maintained that colony almost single-handed, amid the sluctuating fortunes of the Council of New England, at a vast pecuniary sacrifice, and under circumstances of discouragement that would have broken a less resolute spirit than his own. The sole proprietor of the suture province, he gave to our State its name; and the name of our city of Portsmouth is borrowed from that of his residence.

The well-earned tribute to his memory now proposed to be placed in the beautiful chapel where he worshipped, in the midst of memorials to the most illustrious of British heroes, such as Nelson, Wellington, Raglan, Hill, and the Napiers, will be of a kind to attract at once the special attention of visitors, and to perpetuate with honor his name and glory; while it will mark the generous gratitude of New Hampshire for his signal service to her in her early days.

The friends of the propofal may confidently rely, in the erection of these standards, upon the best services of the Archdeacon, a gentleman of high social standing, refined culture, and extensive learning. The moneys remitted to him will be expended to the best advantage in carrying out the purpose of the subscribers.

It would perhaps be a fimpler and speedier course, in the present emergency, to solicit subscriptions in sums of sifty or a hundred dollars each, if the needed amount—about \$600—can be obtained in that way; especially if the Archdeacon should see sit, as the usage is, to engrave the names of the donors on the memorial tablet.

For my own part, I shall be pleased to make one of five or ten New Hampshire men to defray the cost of the proposed standards and tablet; and, if desired, will lend my best endeavors to the procuring the co-operation of other gentlemen in carrying out the Venerable Archdeacon's suggestions.

I am your obedient fervant,

John S. Jenness.

To His Excellency Gov. Weston.

Gov. Weston



Gov. Weston felt that the people of New Hampshire ought to improve this opportunity of manifesting their sense of the obligations which they owed to Mason. He replied on the 14th of December to the letters of Messrs. Tuttle and Jenness. His letters are as follows:—

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT, MANCHESTER, Dec. 14, 1874.

DEAR SIR, — Your favor of the 28th ult., referring to placing a memorial in the chapel at Portsmouth, England, to Capt. John Mason, came duly to hand. I am very glad that the proposition of Archdeacon Wright is appreciated, and that his suggestion is awakening so much interest. Nothing could be more appropriate than to place in that ancient church some tribute to the memory of Capt. Mason.

I have had some correspondence with John S. Jenness, Esq., who, like yourself, has generously offered to contribute towards raising the necessary funds, and I have asked him to take the initiatory steps to carry the project into effect. I hope you may be able to confer surther with him relative to this matter. Thanking you for your very interesting letter, I remain

Yours very truly,

JAMES A. WESTON.

C. W. TUTTLE, Esq., Boston, Mass.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT, MANCHESTER, Dec. 14, 1874.

John S. Jenness, Esq.

My DEAR SIR, — Your valued letter of the 2d inftant was duly received. My apology for the long delay in replying is a pressure of business and absence from the city.

Your generous offer to affift, by contribution and otherwife, in raifing the necessary funds to procure the memorial suggested by Archdeacon Wright Archdeacon Wright in honor of Capt. Mason is warmly appreciated, and you will confer a favor on me personally if you will lead in this matter; and if the citizens, or former citizens, of our Portsmouth can furnish the sum required, it would seem to be a very appropriate and worthy act. I have written to the Archdeacon, inclosing your letter, and intimated that his proposition would probably be accepted.

Yours very truly,

JAMES A. WESTON.

Gov. Weston also addressed the following letter to Archdeacon Wright, and received the reply which is appended to it.

STATE OF NEW HAMPSHIRE, EXECUTIVE DEPARTMENT, CONCORD, Dec. 14, 1874.

DEAR SIR, — Your highly interesting letter (with book) of September II came duly to hand. Appreciating your proposition and the appropriate method you proposed, to place in your beautiful chapel a well-earned tribute to the memory of Capt. John Mason, I immediately caused the publication of your communication.

Such a response has come from this, that I am warranted in the belief that the sum necessary to procure the memorial you suggest will be raised.

I inclose a letter from Mr. Jenness, of whom you made mention. You will there note his suggestion relative to engraving the donor's name upon the memorial tablet. Can this be done?

Thanking you very cordially for your kind words regarding our people, and trufting that through your efforts a holy and lafting link may unite the old and new, I remain

Yours very truly,

JAMES A. WESTON, Governor.

To the VEN. ARCHDEACON WRIGHT, M. A., Chaplain to the Forces, Portfmouth, England.

PORTSMOUTH,



PORTSMOUTH, Dec. 31, 1874.

SIR, - I have the honor to thank you for your letter dated December 14, and in reply to ftate that I this morning faw Lieut.-Gen. Sir Hastings Doyle, K. C. M. G., the president of our committee, and that the names of the donors of the "Mason Memorial" will be placed upon a handsome brass which will occupy a prominent position in the chancel and close to the standards. Sir Hastings, who, when governor of Nova Scotia, passed seven weeks as the guest of Gen. Grant before Richmond, suggested that the slag of the United States shall have a due place on the brass. I can assure your Excellency that all pains will be taken to do honor to the memory of the great man who founded your distinguished State, and so tended in a marked way to raise a nation which in its youth has stood forth the admiration of the world. I shall always esteem it one of the greatest privileges of my life that I have been permitted to join with you, fir, and other diftinguished Americans, in paying respect to the memory of a gallant soldier, who, as the sounder of New Hampshire, did so much for the extension of colonization, and set so noble an example of enterprise and daring.

Pray accept my best thanks for all you have done touching this our good work, and permit me to be, sir,

Yours faithfully and obediently,

H. P. WRIGHT,

Chaplain to the Forces, and Chaplain to H. R. H. the Duke of Cambridge, K. G.

HIS EXCELLENCY JAS. A. WESTON,
Governor of New Hampshire, United States.

Through the exertions principally of Mr. Jenness, who bore a considerable portion of the expense himself, the money was raised and the standards and tablets were placed in the church. The tablet measures thirty inches by seventeen. On the left hand is the seal of New Hampshire, drawn

drawn in a radius of four inches. Around the circle of the feal is "Respublica Neo-Hantoniensis, 1874." The infcription on the tablet is as follows:—

D. D. John Scribner Jenness, Charles Levi Woodbury, Charles Wesley Tuttle, Alexander Hamilton Ladd, Charles Henry Bell, Eliza Appleton Haven, Charlotte Maria Haven. (All of New Hampshire, U. S.)

To the Glory of God, and in memory of Capt'n John Mason, Captain in the Royal Navy, Treasurer of the Army, Captain of South Sea Castle, Governor of the Colony of Newfoundland, Patentee and Founder of New Hampshire in America, Vice Admiral of New England, Born 1586, Died 1635.

THIS FAITHFUL CHURCHMAN, DEVOTED PATRIOT AND GALLANT OFFICER, OF WHOM ENGLAND AND AMERICA WILL EVER BE PROUD, WAS BURIED IN WESTMINSTER ABBEY.

Haven, and Charlotte M. Haven are all descendants of Capt. John Mason, being great-grandchildren of Col. John Tuston⁹ Mason, from whom the Masonian Proprietors purchased their rights in New Hampshire. John Tuston Mason had two daughters, one of whom, Sarah Catharine¹⁰ Mason, married Samuel Mosfat. Their daughter Mary Tuston¹¹ Mosfat married Nathaniel A. Haven, and had one son and two daughters. The son, Nathaniel Appleton ¹² Haven, Jr.,

distinguished as a writer, was the father of Misses Eliza A. 18 and Charlotte M. 18 Haven, whose names appear on the inscription. The eldest daughter, Maria Tuston 18 Haven, married Alexander Ladd, and their son Alexander H. 18 Ladd is the other descendant of Captain Mason named in the inscription. Vide Genealogy of the Descendants of Richard Haven, by Josiah Adams (1843), pp. 32, 33; Rambles about Portsmouth, by C. W. Brewster, 1st Series (1859), p. 130.



AUTOGRAPHS.

Hon mofor

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A true, lively and experimentall description of that part of America, commonly called Nevv England: discovering the State of that Countrie, both as it stands to our new-come English Planters; and to the old Natiue Inhabitants. By WILLIAM WOOD. London, 1634. Preface by Charles Deane, LL.D. pp. 131. Boston, 1865.

THE HUTCHINSON PAPERS.

A Collection of Original Papers relative to the History of the Colony of Massachusetts-Bay. Reprinted from the edition of 1769. Edited by William H. Whitmore, A.M., and William S. Appleton, A.M. 2 vols. Vol. I. pp. 324. Vol. II. pp. 354. Albany, 1865.

JOHN DUNTON'S LETTERS FROM NEW ENGLAND.

Letters written from New England A.D. 1686. By John Dunton, in which are described his voyages by Sea, his travels on land, and the characters of his friends and acquaintances. Now first published from the Original Manuscript in the Bodleian Library, Oxford. Edited by William H. Whitmore, A.M. pp. 340. Boston, 1867.

THE ANDROS TRACTS.

Being a Collection of Pamphlets and Official Papers issued during the period between the overthrow of the Andros Government and the establishment of the second Charter of Massachusetts. Reprinted from the original editions and manuscripts. With a Memoir of Sir Edmund Andros, by the editor, William H. Whitmore, A.M. 3 vols. Vol. I. pp. 215; 1868. Vol. II. pp. 346; 1869. Vol. III. pp. 257; 1874. Boston.

SIR WILLIAM ALEXANDER AND AMERICAN COLONIZATION.

Including three Royal Charters, iffued in 1621, 1625, 1628; a Tract entitled an Encouragement to Colonies, by Sir William Alexander, 1624; a Patent, from the Great Council for New England, of Long Island, and a part of the present State of Maine; a Roll of the Knights Baronets of New Scotland; with a Memoir of Sir William Alexander, by the editor, the Rev. Edmund F. Slaster, A.M. pp. 283. Boston, 1873.

JOHN WHEELWRIGHT.

Including his Fast-day Sermon, 1637; his Mercurius Americanus, 1645, and other writings; with a paper on the genuineness of the Indian deed of 1629, and a Memoir by the editor, Charle H. Bell, A.M. pp. 253. Boston, 1876.

VOYAGES OF THE NORTHMEN TO AMERICA.

Including extracts from Icelandic Sagas relating to Western voyages by Northmen in the tenth and eleventh centuries, in an English translation by North Ludlow Beamish; with a Synopsis of the historical evidence and the opinion of Professor Rasn as to the places visited by the Scandinavians on the coast of America. Edited, with an Introduction, by the Rev. Edmund F. Slaster, A.M. pp. 162. Boston, 1877.

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THE VOYAGES OF SAMUEL DE CHAMPLAIN.

Including the Voyage of 1603, and all contained in the edition of 1613, and in that of 1619; translated from the French by Charles P. Otis, Ph.D. Edited, with a Memoir and historical illustrations, by the Rev. Edmund F. Slafter, A.M. 3 vols. Vol. I. pp. 340; 1880. Vol. II. pp. 273; 1878. Vol. III. pp. 240; 1882. Boston.

NEW ENGLISH CANAAN, OR NEW CANAAN.

Containing an abstract of New England, composed in three books. I. The first setting forth the Originall of the Natives, their Manners and Customes, together with their tractable Nature and Love towards the English. II. The Natural Indowments of the Countrie, and what Staple Commodities it yieldeth. III. What People are planted there, their Prosperity, what remarkable Accidents have happened since the first planting of it, together with their Tenents and practice of their Church. Written by Thomas Morton of Clissords Inne, Gent, upon ten Years Knowledge and Experiment of the Country, 1632. Edited, with an Introduction and historical illustrations, by Charles Francis Adams, Jr., A.B. pp. 381. Boston, 1883.

SIR WALTER RALEGH AND HIS COLONY IN AMERICA.

Containing the Royal Charter of Queen Elizabeth to Sir Walter Ralegh for discovering and planting of new lands and countries, March 25, 1584, with letters, discourses, and narratives of the Voyages made to Virginia at his charges, with original descriptions of the country, commodities, and inhabitants. Edited, with a Memoir and historical illustrations, by the Rev. Increase N. Tarbox, D.D. pp. 329. Boston, 1884.

VOYAGES OF PETER ESPRIT RADISSON.

Being an account of his travels and experiences among the North American Indians from 1652 to 1684, transcribed from Original Manuscripts in the Bodleian Library and the British Museum. Edited, with historical illustrations and an Introduction, by Gideon D. Scull. pp. 385. Boston, 1885.

CAPTAIN JOHN MASON, THE FOUNDER OF NEW HAMPSHIRE

Including his Tract on Newfoundland, 1620, the American Charters in which he was a Grantee, with Letters and other Historical Documents; and a Memoir by the late Charles W. Tuttle, Ph.D. Edited, with historical illustrations, by John Ward Dean, A.M. pp. 402. Boston, 1887.

VOLUMES IN PREPARATION.

- 1. SIR FERDINANDO GORGES, including his Tract entitled A Brief Narration, 163, American Charters granted to him, and other papers; with historical illustrations and a Memoir by James P. Baxter, A.M.
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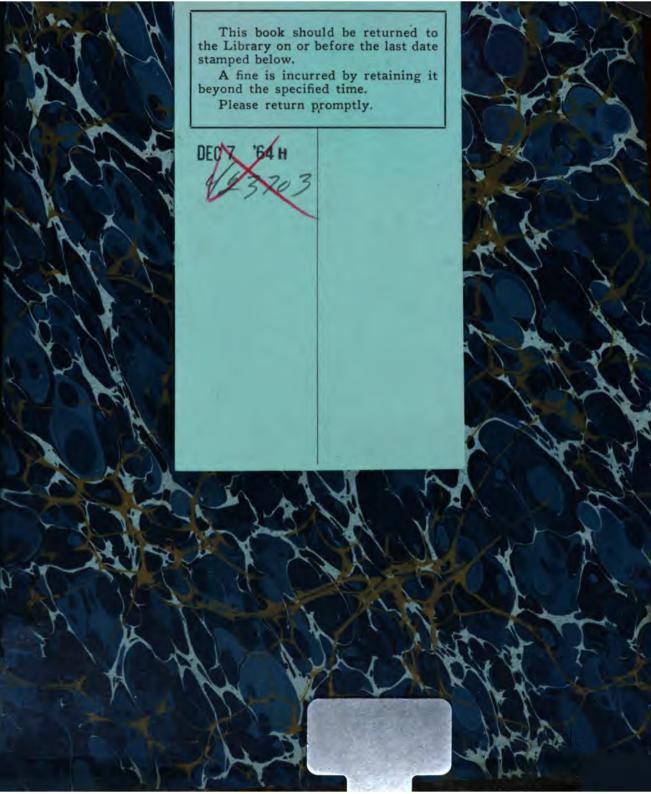
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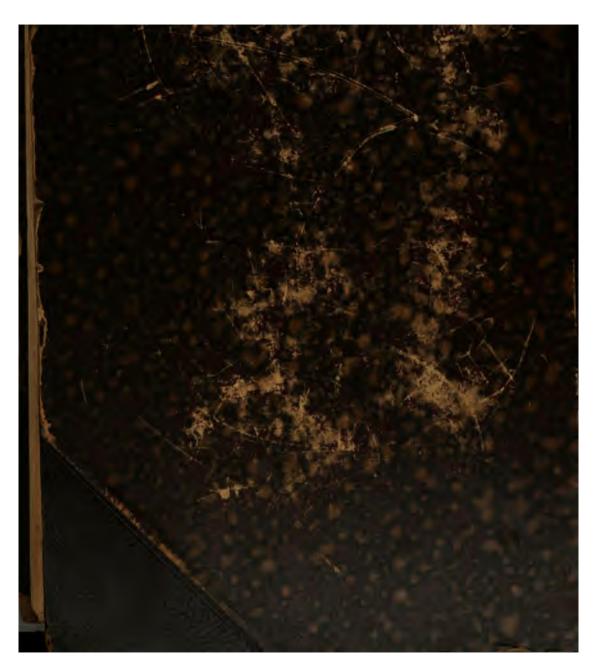
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